**Order Type:** 1660 Agreed Order **Findings Order Justification:** N/A Media: PWS **Small Business:** No Location(s) Where Violation(s) Occurred: City of Throckmorton PWS, 121 North Minter Avenue, Throckmorton, Throckmorton County **Type of Operation:** Public water supply **Other Significant Matters:** Additional Pending Enforcement Actions: No Past-Due Penalties: No Other: N/A Interested Third-Parties: None Texas Register Publication Date: March 11, 2022 Comments Received: No **Penalty Information** 

Total Penalty Assessed: \$8,024 Amount Deferred for Expedited Settlement: \$1,604 Total Paid to General Revenue: \$0 Total Due to General Revenue: \$0 Payment Plan: N/A Supplemental Environmental Project ("SEP") Conditional Offset: \$6,420 Name of SEP: Public Water Supply Improvements (Compliance) Compliance History Classifications: Person/CN - Satisfactory Site/RN - N/A Major Source: No Statutory Limit Adjustment: N/A

Applicable Penalty Policy: April 2014 and January 2021

## Investigation Information

Complaint Date(s): N/A Complaint Information: N/A Date(s) of Investigation: November 23, 2020 and February 22, 2021 through March 5, 2021 Date(s) of NOE(s): December 4, 2020 and March 5, 2021

## Violation Information

1. Failed to develop a nitrification action plan ("NAP") for a system distributing chloraminated water. Specifically, the Respondent had partially completed a system-specific NAP [30 TEX. ADMIN. CODE § 290.46(z)].

2. Failed to complete a customer service inspection ("CSI") certificate prior to providing continuous water service to new construction, on any existing service when the water purveyor has reason to believe cross-connections or other potential contamination hazards exist, or after any material improvement, correction, or addition to the private water distribution facilities [30 TEX. ADMIN. CODE § 290.46(j)].

3. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request. Specifically, a record of the amount of each chemical used each day and a daily record or a monthly summary of part-time operators were not maintained on-site for review [30 TEX. ADMIN. CODE § 290.46(f)(2), (f)(3)(A)(i)(II), and (f)(3)(A)(vii)].

4. Failed to conduct chloramine effectiveness sampling to ensure that monochloramine is the prevailing chloramine species and that nitrification is controlled [30 TEX. ADMIN. CODE § 290.110(c)(5)].

5. Failed to maintain all pumps, motors, valves, and other mechanical devices in good working condition. Specifically, the surface wash arms on the system's filters did not spin and did not work [30 TEX. ADMIN. CODE § 290.46(m)(6)].

6. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. Specifically, the chlorine dioxide building was unlocked, the fence surrounding the chlorine dioxide building was missing a portion, the grounds were noted to be unkept with overgrown grass, and there was an unlocked gas chlorine room next to the chlorine dioxide room containing three unused chlorine gas cylinders and a 55-gallon barrel. At the surface water treatment plant ("SWTP"), the high service pump room was not provided with adequate lighting, and the floor of the rooms inside the SWTP were full of water and sludge. In addition, trash, pipes, and other unused materials were noted throughout the

Facility. The backwash water and sludge ponds were noted to have been overtaken by plants that dried out, and there were piles of trash and equipment along the fence line. The chemical injection vault outside SWTP's building was full of water [30 TEX. ADMIN. CODE § 290.46(m)].

7. Failed to maintain the Facility's storage tank in strict accordance with current American Water Works Association ("AWWA") standards with an overflow pipe that terminates downward with a gravity-hinged and weighted cover tightly fitted with no gap over 1/16 inch. Specifically, the 0.08 million-gallon clearwell was missing an overflow [30 TEX. ADMIN. CODE § 290.43(c)(3)].

8. Failed to properly calibrate the pH meters daily and check with at least one buffer each time a series of samples is run. Specifically, the benchtop pH meter was calibrated weekly and not daily. In addition, the pH meter was not calibrated on the following dates: February 9 and 23, 2020, April 16, 29, and 30, 2020, and May 20, 2020, and no records were submitted to show the calibration of the pH meter being checked with at least one buffer each time a series of samples is run [30 TEX. ADMIN. CODE § 290.46(s)(2)(A)(i) and (s)(2)(A)(ii)].

9. Failed to restandardize the benchtop turbidimeter's secondary standards each time a series of samples is tested, and if necessary, recalibrate with primary standards. Specifically, the Respondent did not restandardize the secondary standards each time the benchtop turbidimeter primary calibration was completed and was not checking the calibration of the benchtop turbidimeter with the secondary standards each time a series of samples is tested [30 TEX. ADMIN. CODE § 290.46(s)(2)(B)(i) and (s)(2)(B)(ii)].

10. Failed to verify the accuracy of the continuous disinfectant residual analyzer at least once every seven days using chlorine solutions of known concentrations or by comparing the results from the on-line analyzer with the result of approved benchtop method. Specifically, the on-line chlorine analyzer Cl17 was not being verified at least once every seven days [30 TEX. ADMIN. CODE § 290.46(s)(2)(C)(ii)].

11. Failed to check the calibration of the three on-line turbidimeters at the Facility at least once each week with a primary standard, a secondary standard, or the manufacturer's proprietary calibration confirmation device or by comparing the results from the on-line unit with the results from a properly calibrated benchtop unit [30 TEX. ADMIN. CODE § 290.46(s)(2)(B)(iv)].

12. Failed to comply with the maximum contaminant level ("MCL") of 0.080 milligrams per liter ("mg/L") for total trihalomethanes ("TTHM") based on the locational running annual average. Specifically, the locational running annual average concentrations of TTHM for Stage 2 Disinfection Byproducts ("DBP2") at Site 1 were 0.096 mg/L for the

third quarter of 2020 and 0.129 mg/L for the fourth quarter of 2020 [30 Tex. ADMIN. CODE § 290.115(f)(1) and Tex. Health & Safety CODE § 341.0315(c)].

13. Failed to comply with the MCL of 0.060 mg/L for haloacetic acids ("HAA5") based on the locational running annual average. Specifically, the locational running annual average concentrations of HAA5 for DBP2 at Site 1 were 0.066 mg/L for the third quarter of 2020 and 0.133 mg/L for the fourth quarter of 2020 [30 TEX. ADMIN. CODE § 290.115(f)(1) and TEX. HEALTH & SAFETY CODE § 341.0315(c).

14. Failed to conduct an operation evaluation and submit a written operation evaluation report to the Executive Director within 90 days after being notified of analytical results that caused an exceedance of the operational evaluation level for TTHM and HAA5 for DBP2 at Site 1 during the third quarter of 2020 [30 TEX. ADMIN. CODE § 290.115(e)(2)].

## **Corrective Actions/Technical Requirements**

## **Corrective Action(s) Completed:**

On February 4, 2021, the Respondent verified the accuracy of the Cl17 on-line chlorine analyzer using chlorine solutions of known concentrations once every seven days.

## **Technical Requirements:**

1. The Order will require the Respondent to implement and complete a SEP (see SEP Attachment A).

- 2. The Order will also require the Respondent to:
- a. Within 30 days:
- i. Create a system-specific NAP;

ii. Compile and maintain properly completed water works operation and maintenance records, including but not limited to, a record of the amount of each chemical used each day and a daily record or a monthly summary of part-time operators;

iii. Initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, including but not limited to locking the chlorine dioxide building, repairing the missing portion of the fence surrounding the chlorine dioxide building, landscaping the overgrown grass, and locking the gas chlorine room next to the chlorine dioxide room containing three unused chlorine gas cylinders and a 55-gallon barrel. At the SWTP, installing adequate lighting in the high service pump room, and dewatering and removing the sludge from the floor

of the rooms inside the SWTP. In addition, removing trash, pipes, and other unused materials throughout the Facility, landscaping the backwash water and sludge ponds, removing the piles of trash and equipment along the fence line, and dewatering the chemical injection vault outside SWTP's building;

iv. Implement a CSI program to ensure that all service connections are properly inspected;

v. Calibrate the pH meters daily, and check with at least one buffer each time a series of samples is run;

vi. Restandardize the secondary standards and check them each time a series of samples is tested for the calibration of the benchtop turbidimeters;

vii. Check the calibration of on-line turbidimeters (Filter 1, Filter 2, and finished water) with a primary standard, a secondary standard, the manufacturer's proprietary calibration confirmation device, or by comparing the results from the on-line unit with the results from a properly calibrated benchtop unit;

viii. Conduct an operation evaluation and submit an operation evaluation report to the Executive Director; and

ix. Begin collecting all required chloramine effectiveness samples to ensure that monochloramine is the prevailing chloramine species and that nitrification is controlled. This provision will be satisfied upon six consecutive months of compliant monitoring.

b. Within 45 days, submit written certification to demonstrate compliance with a.i. through a.viii.

c. Within 60 days:

i. Begin maintaining all pumps, motors, valves, and other mechanical devices in good working condition including, but not limited to repairing or replacing the surface wash arms on the system's filters; and

ii. Provide the 0.08 million-gallon clearwell with an overflow pipe that terminates downward with a gravity-hinged and weighted cover tightly fitted with no gap over 1/16 inch.

d. Within 75 days, submit written certification to demonstrate compliance with c.

e. Within 225 days, submit written certification to demonstrate compliance with a.ix.

f. Within 365 days:

i. Return to compliance with the MCL for TTHM based on the locational running annual average; and

ii. Return to compliance with the MCL for HAA5 based on the locational running annual average.

g. Within 380 days, submit written certification to demonstrate compliance with f.

## **Contact Information**

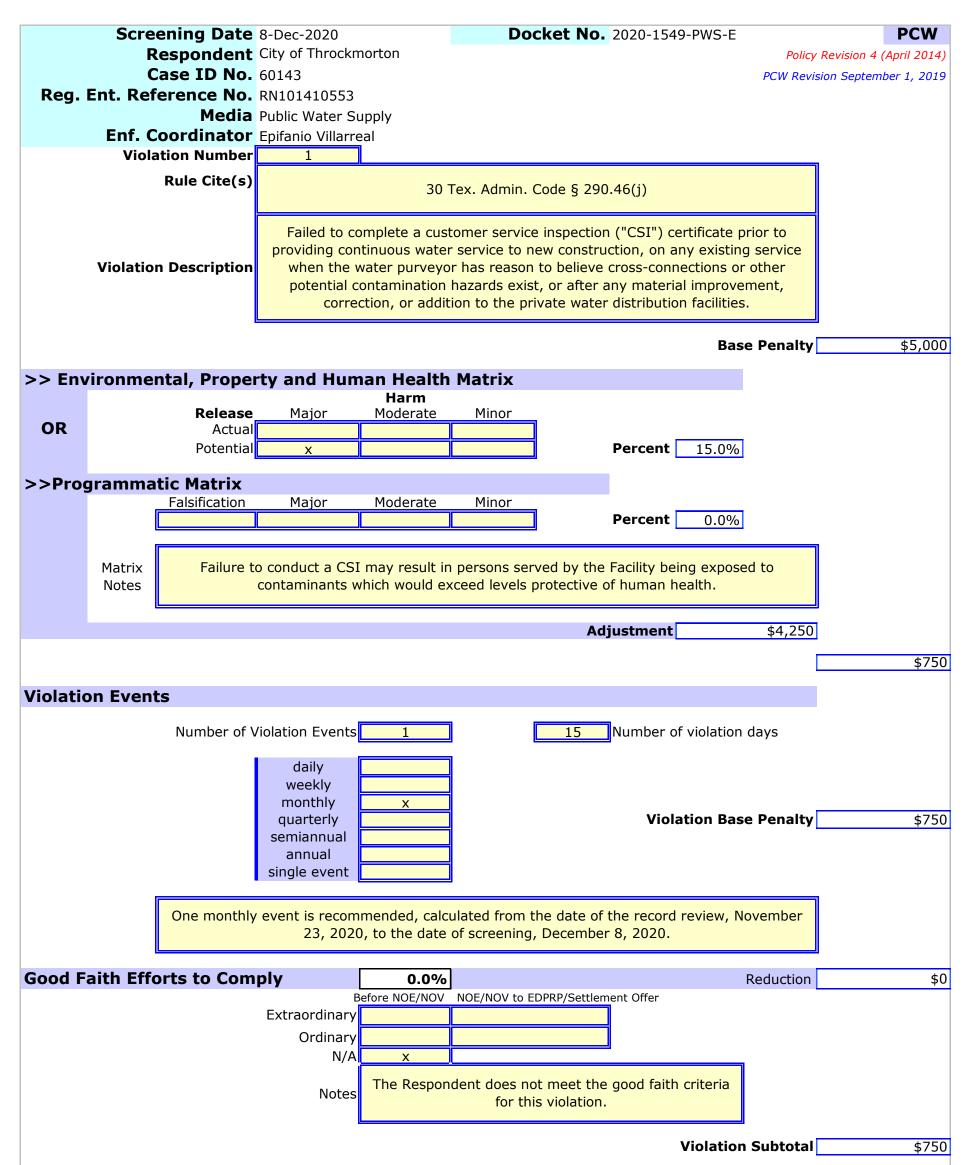
TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Epifanio Villarreal, Enforcement Division, Enforcement Team 8, MC R-14, (361) 825-3421; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548
TCEQ SEP Coordinator: Betty Sanders, SEP Coordinator, Litigation Division, MC 175, (512) 239-3992
Respondent: The Honorable William Carroll, Mayor, City of Throckmorton, P.O. Box 640, Throckmorton, Texas 76483
Respondent's Attorney: N/A

REAL PROPERTY OF THE REAL OF	Policy Rev	Pe ision 4 (April 2014)	nalty Calcu	ulation	n Worksh	ieet (PC	•	ision Septembe	er 1, 2019
DATES		7-Dec-2020 23-Dec-2021	Screening 8-De	ec-2020	EPA Due				
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	Respondent	City of Throckmo							
	g. Ent. Ref. No. ty/Site Region				Major/M	linor Source	Minor		
	NFORMATION				<b>-</b> /				
	f./Case ID No.	60143			No. c	of Violations	10		
Mor		2020-1549-PWS- Public Water Sup			Government	Order Type			
Met	Multi-Media		рту			Coordinator	Epifanio Villarr		
Adı	min. Penalty \$ I	.imit Minimum	\$50 <b>Maxi</b> i	mum [	\$5,000	EC's Team	Enforcement T	eam 8	
			Penalty C	alculat	tion Section	on			
ΤΟΤΑ	L BASE PENA	LTY (Sum of	violation base				Subtotal 1		\$3,950
ADJU	STMENTS (+	/-) TO SUBTO	TAL 1						
	Subtotals 2-7 are ob Compliance His	tained by multiplying	the Total Base Penalty				tals 2, 3, & 7		\$592
	Compliance his			15.0%	Adjustment		lais 2, 3, & 7		<b>\$</b> 392
	Notes	Enhanceme	nt for three NOVs	with the s	ame/similar vio	lations.			
	Culpability	No		0.0%	Enhancement		Subtotal 4		\$0
	Notes	The Res	spondent does not	meet the	culpability crite	ria.			
	Good Faith Effe	ort to Comply To	otal Adjustments				Subtotal 5		-\$25
			,						
	Economic Bene				Enhancement*		Subtotal 6		\$0
	Estimated	Total EB Amounts Cost of Compliance	\$1,154 \$9,215	*Cappec	l at the Total EB \$ A	Amount			
SUM (	OF SUBTOTAI	_S 1-7				E	inal Subtotal		\$4,517
OTHE	R FACTORS A	S JUSTICE M	AY REQUIRE	ſ	0.0%		Adjustment		\$0
Reduces of	or enhances the Final	Subtotal by the indica	ated percentage.						
	Notes								
						Final Pen	alty Amount		\$4,517
STAT	JTORY LIMIT	ADJUSTMEN	т			Final Asse	ssed Penalty		\$4,517
DEFER	RRAL				20.0%	Reduction	Adjustment		-\$903
Reduces t	he Final Assessed Pe	nalty by the indicated	percentage.						
	Notes	C	eferral offered for	expedited	l settlement.				
ΡΑΥΑ	BLE PENALT	1							\$3,614

	<b>Spondent</b> City of Throckmorton		licy Revision 4 (Apri
	Se ID No. 60143	PCW R	evision September :
keg. Ent. Kelen	ence No. RN101410553 Media Public Water Supply		
Enf Cor	ordinator Epifanio Villarreal		
Compliance Hist	Compliance History Worksheet		
Component	ory <i>Site</i> Enhancement (Subtotal 2) Number of	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	3	15%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgments or consent decrees meeting criteria</i> )	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
Addito	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Other	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal		
	government environmental requirements	No	0%
	Adjustment Per	centage (Su	btotal 2) <u>1</u>
Repeat Violator	(Subtotal 3)		
N/A	Adjustment Per	centage (Su	btotal 3)
Compliance Histo	ory Person Classification (Subtotal 7)		
Satisfactory	Performer Adjustment Per	centage (Su	btotal 7) 🔤
<b>Compliance Histo</b>	ory Summary		
Compliance History Notes	Enhancement for three NOVs with the same/similar violations.		
	Total Compliance History Adjustment Percentage (S	Subtotals 2,	<b>3, &amp; 7)</b> 1
inal Compliance	History Adjustment		
	Final Adjustment Percent	age *capped	at 100% 1

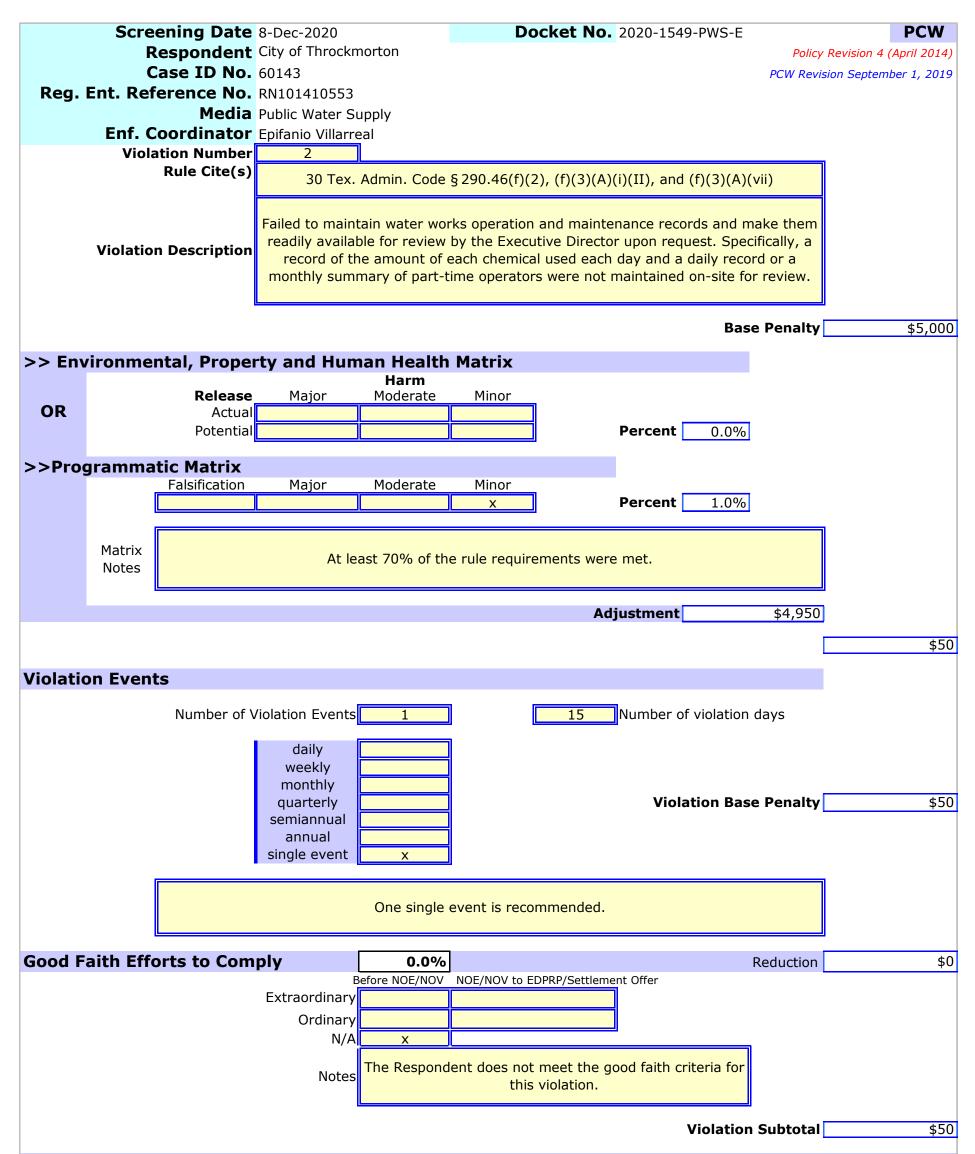
**Docket No.** 2020-1549-PWS-E

Screening Date 8-Dec-2020



Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	\$18 Violation Final Penalty Total \$863
This violation	Final Assessed Penalty (adjusted for limits) \$863

	E	conomic	Benefit	Wo	rksheet		
Respondent	City of Throck	morton					
Case ID No.							
		)					
Reg. Ent. Reference No.							Marana af
	Public Water S	supply				<b>Percent Interest</b>	Years of
Violation No.	. 1						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	<b>EB</b> Amount
Itom Description		Bate Required	i mai Bate				20 / mount
Item Description	1						
Delayed Costs	, I <del></del>	- (r)		3			
Equipment		<u> </u>		0.00	\$0	\$0	\$0
Buildings		<u>  </u>		0.00	\$0	\$0	\$0
Other (as needed)		<u>  </u>		0.00	\$0	\$0	\$0
Engineering/Construction		<u>  </u>		0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)	\$180	28-Jan-2020	1-Feb-2022	0.00	<u>\$0</u> \$18	n/a n/a	<u>\$0</u> \$18
Notes for DELAYED costs		are properly inspec	cted, calculated	l from tl		rogram to ensure th estigation initially do nce.	
Avoided Costs		ALIZE avoided co	osts before er	ntering	item (except for	r one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							



Economic Benefit (EB) for this violation	Statutory Limit Test	
Estimated EB Amount	\$5 Violation Final Penalty Total	\$58
	This violation Final Assessed Penalty (adjusted for limits)	\$58

Case ID No. eg. Ent. Reference No. Media							Years of
Violation No.		appiy				Percent Interest	Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	<b>Final Date</b>	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description							
Delayed Costs				_			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	28-Jan-2020	1-Feb-2022	2.01	\$5	n/a	\$5
Training/Sampling				0.00	\$0	n/a	\$0
<b>Remediation/Disposal</b>		<u> </u>		0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)			actimated am	0.00	\$0	n/a	\$0
				0.00 ount to	\$0 maintain water sy	n/a stem operation and	\$0 maintenance
	records and	d make them imm	nediately availal	0.00 ount to ole for in	\$0 maintain water syn nspection upon rea	n/a stem operation and quest by the Execut	\$0 maintenance ive Director,
Other (as needed)	records and	d make them imm	nediately availal	0.00 ount to ole for in initially	<u>\$0</u> maintain water syn nspection upon read documenting the	n/a stem operation and	\$0 maintenance ive Director,
Other (as needed) Notes for DELAYED costs	records and calculated fr	d make them imm om the date of th	nediately availal e investigation	0.00 ount to ole for in initially compli	<u>\$0</u> maintain water sy nspection upon rea documenting the ance.	n/a stem operation and quest by the Execut violation to the estir	\$0 maintenance ive Director, nated date of
Other (as needed)	records and calculated fr	d make them imm om the date of th	nediately availal e investigation	0.00 ount to ole for in initially compli	\$0 maintain water sy nspection upon re- documenting the ance. item (except fo	n/a stem operation and quest by the Execut violation to the estir r one-time avoide	\$0 maintenance ive Director, mated date of d costs)
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Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling	records and calculated fr	d make them imm om the date of th	nediately availal e investigation	0.00 ount to ple for initially compli tering 0.00 0.00	\$0 maintain water syn nspection upon re- documenting the ance. item (except for \$0 \$0 \$0	n/a stem operation and quest by the Execut violation to the estir r one-time avoide \$0 \$0 \$0	\$0 maintenance ive Director, nated date of d costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	records and calculated fr	d make them imm om the date of th	nediately availal e investigation	0.00 ount to ple for initially compli tering 0.00 0.00 0.00 0.00	\$0 maintain water syn nspection upon re- documenting the ance. item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a stem operation and quest by the Execut violation to the estin r one-time avoide \$0 \$0 \$0 \$0 \$0	\$0 maintenance ive Director, nated date of d costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	records and calculated fr	d make them imm om the date of th	nediately availal e investigation	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 maintain water syn nspection upon re- documenting the ance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a stem operation and quest by the Execut violation to the estin r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 maintenance ive Director, nated date of d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	records and calculated fr	d make them imm om the date of th	nediately availal e investigation	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 maintain water sympositic symp	n/a stem operation and quest by the Execut violation to the estir r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 maintenance ive Director, nated date of d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	records and calculated fr	d make them imm om the date of th	nediately availal e investigation	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 maintain water syn nspection upon re- documenting the ance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a stem operation and quest by the Execut violation to the estin r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 maintenance ive Director, nated date of d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	records and calculated fr	d make them imm om the date of th	nediately availal e investigation	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 maintain water sympositic symp	n/a stem operation and quest by the Execut violation to the estir r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 maintenance ive Director, nated date of d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	records and calculated fr	d make them imm om the date of th	nediately availal e investigation	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 maintain water sympositic symp	n/a stem operation and quest by the Execut violation to the estir r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 maintenance ive Director, nated date of d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

	Scre	ening Date	8-Dec-2020		Do	cket No.	2020-1549-	PWS-E	PCW
		-	City of Throckmorto	on				Policy	Revision 4 (April 2014)
		ase ID No.						PCW Revi	sion September 1, 2019
Reg.	Ent. Ref	erence No.							
	Enf (		Public Water Supply	/					
		ation Number	Epifanio Villarreal						
	VIOR	Rule Cite(s)		20 To	Admin Co.	de 5 200 11	O(a)(E)		
				30 Tex	. Admin. Co	Je g 290.11	0(0)(3)		
	Violatio	n Description	Failed to conduct ch is the prevai		effectiveness imine species				
								Base Penalty	\$5,000
>> Env	vironme	ntal, Prope	ty and Human		Matrix				
		Release	ŀ	<b>Harm</b> oderate					
OR		Actual	Major Mo	oderate	Minor				
		Potential			X		Percent	3.0%	
>>Pro	gramma	tic Matrix							
	<b>.</b>	Falsification	Major Mo	oderate	Minor				
							Percent	0.0%	
	Matrix Notes		onduct required sam se persons served by would not e	the Facili		nificant am	ount of cont		
						Adj	ustment	\$4,850	]
									\$150
Violatio	on Event	ts							
Violati									
		Number of \	/iolation Events	1		15	Number of v	violation days	
			daily						
			weekly						
			monthly quarterly				Violati	ion Base Penalty	\$150
			semiannual					······,	<u> </u>
			annual						
			single event	X					
			Or	ne single e	vent is recon	nmended.			
Good F	aith Effe	orts to Com		0.0%				Reduction	\$0
			Before Extraordinary	NOE/NOV	NOE/NOV to ED	PRP/Settleme	nt Offer		
			Ordinary						
			N/A	X					
				Responde	ent does not this	meet the go violation.	ood faith crite	eria for	
							V	iolation Subtotal	\$150

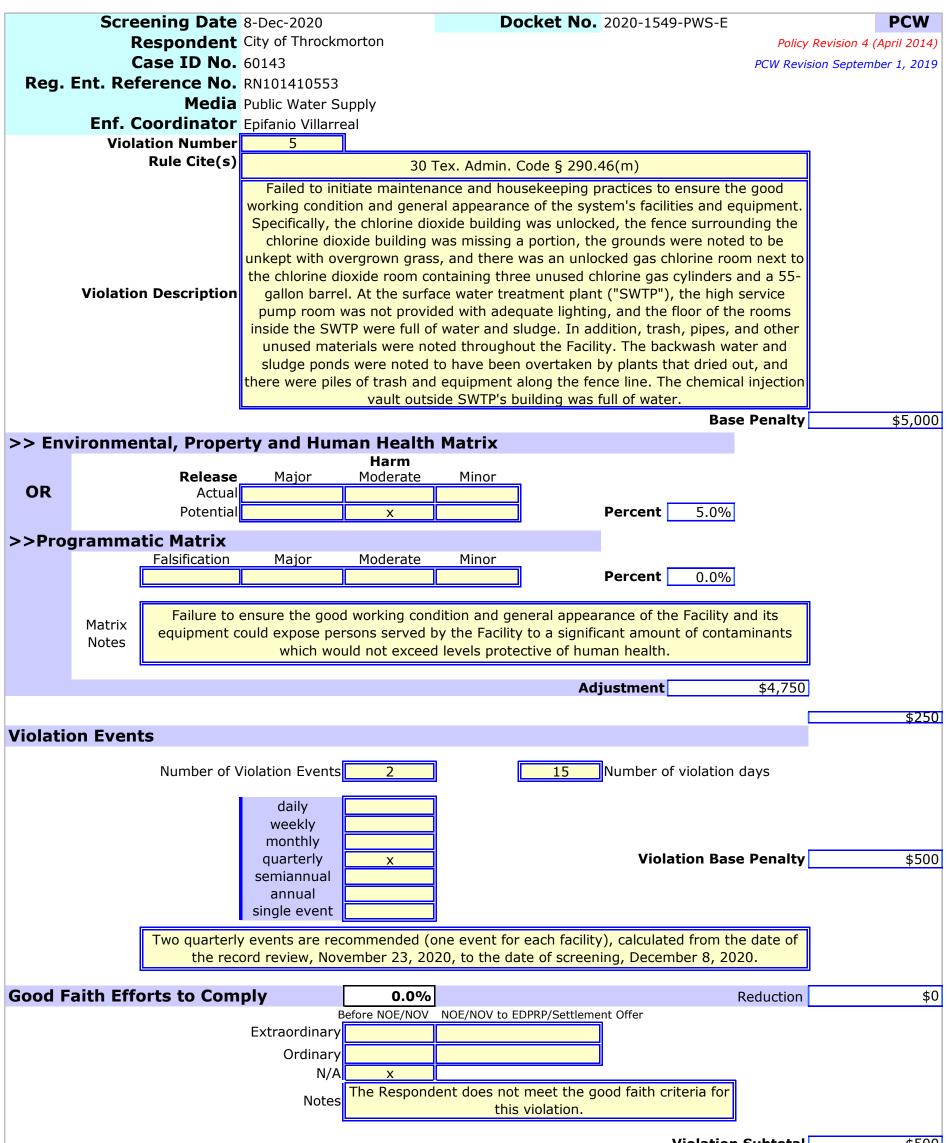
Economic Benefit (EB) for this violation	Statutory Limit Test	
Estimated EB Amount	\$117 Violation Final Penalty Total	\$173
	This violation Final Assessed Penalty (adjusted for limits)	\$173

Case ID No.	City of Throck 60143	morton					
Reg. Ent. Reference No. Media Violation No.	Public Water S					Percent Interest	Years of Depreciation
						5.0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	]						
Delayed Costs	5			_			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
<b>Engineering/Construction</b>				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$100	28-Jan-2020	31-Jul-2022	2.51	\$13	n/a	\$13
Training/Sampling				0.00	\$0	n/a	\$0
<b>Remediation/Disposal</b>				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	The delayed c	ost includes the e	stimated amou	0.00	\$0	n/a	\$0
Notes for DELAYED costs	monochloram date of t	ine is the prevaili the investigation i	ng chloramine s nitially docume	0.00 nt to co pecies a nting the	\$0 Ilect chloramine ef and that nitrification e violation to the e	n/a ffectiveness samples on is controlled, calcu estimated date of co	\$0 to ensure that ulated from th mpliance.
	monochloram date of t	ine is the prevaili the investigation i	ng chloramine s nitially docume	0.00 nt to co pecies a nting the	\$0 Ilect chloramine et and that nitrification e violation to the o item (except fo	n/a ffectiveness samples on is controlled, calco estimated date of co r one-time avoide	\$0 to ensure tha ulated from th mpliance. d costs)
Notes for DELAYED costs Avoided Costs	monochloram date of t	ine is the prevaili the investigation i	ng chloramine s nitially docume	0.00 nt to co pecies a nting the <b>tering</b>	\$0 Ilect chloramine et and that nitrification e violation to the of item (except fo \$0	n/a ffectiveness samples on is controlled, calcu estimated date of co	\$0 to ensure that ulated from the mpliance. d costs) \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	monochloram date of t	ine is the prevaili the investigation i	ng chloramine s nitially docume	0.00 nt to co pecies a nting the ntering 0.00	\$0 Ilect chloramine et and that nitrification e violation to the of item (except fo \$0 \$0	n/a fectiveness samples on is controlled, calco estimated date of co r one-time avoide \$0 \$0	\$0 to ensure that ulated from the mpliance. d costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	monochloram date of t	ine is the prevaili the investigation i	ng chloramine s nitially docume	0.00 nt to co pecies a nting the ntering 0.00	\$0 Ilect chloramine et and that nitrification e violation to the of item (except fo \$0	n/a ffectiveness samples on is controlled, calco estimated date of co r one-time avoide \$0	\$0 to ensure that ulated from the mpliance. d costs) \$0
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel Inspection/Reporting/Sampling	monochloram date of t	ine is the prevaili the investigation i	ng chloramine s nitially docume	nt to co pecies a nting the ntering 0.00 0.00	\$0 Ilect chloramine et and that nitrificatio e violation to the o item (except fo \$0 \$0 \$0 \$0 \$0 \$0	n/a fectiveness samples on is controlled, calco estimated date of co r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0	\$0 to ensure that ulated from the mpliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	monochloram date of t	ine is the prevaili the investigation i ALIZE avoided of I	ng chloramine s nitially docume	0.00 nt to co pecies a nting the tering 0.00 0.00 0.00	\$0 Ilect chloramine et and that nitrification e violation to the or item (except fo \$0 \$0 \$0 \$0	n/a fectiveness samples on is controlled, calco estimated date of co r one-time avoide \$0 \$0 \$0	\$0 to ensure that ulated from the mpliance. d costs) \$0 \$0 \$0 \$0
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	monochloram date of t	ine is the prevaili the investigation i	ng chloramine s nitially docume costs before ei	0.00           nt to co           pecies a           nting th           1           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00           0.00	\$0 Ilect chloramine et and that nitrification e violation to the or item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a fectiveness samples on is controlled, calcu- estimated date of co r one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 to ensure tha ulated from th mpliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	monochloram date of t ANNU/ \$100 The avoided c monochloram	ine is the prevaili the investigation is ALIZE avoided c ALIZE avoided c ALIZE avoided c ALIZE avoided c Cost includes the e ine is the prevaili	ng chloramine s nitially docume costs before en sosts before sosts before sosts before en sosts before sosts before sosts before sosts before so sosts before sosts before sost	0.00           nt to co           pecies a           nting th           0.00	\$0 Ilect chloramine et and that nitrifications e violation to the en- item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a fectiveness samples on is controlled, calco estimated date of co r one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 to ensure that ulated from the mpliance. <b>d costs)</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

	Scro	ening Date	8-Dec-2020		Doc	rkat Na	2020-1549-PWS-E		PCW
		-	City of Throckmo	rton			2020 1349 1 103 L	Policy	Revision 4 (April 2014)
		Case ID No.							sion September 1, 2019
Rea.		erence No.							
			Public Water Sup	ply					
	Enf. C		Epifanio Villarreal						
		ation Number							
		Rule Cite(s)		30 Te	x. Admin. Coc	16 8 290 46	(m)(6)		
	Violatio	n Description		n all pumps, on. Specifica	, motors, valv	es, and oth ce wash arn	er mechanical devic ns on the system's <.	filters did	
							Bas	e Penalty	\$5,000
>> Env	/ironme	ntal. Prope	rty and Huma	n Health	Matrix				
				Harm				1	
OR		Release	Major	Moderate	Minor				
UK		Actual Potential		x			Percent 5.0%	1	
		Fotential		Χ				1	
>>Prog	gramma	tic Matrix							
		Falsification	Major	Moderate	Minor				
							Percent 0.0%		
							· · · · · ·		
	Matrix						evices at the Facilit ing exposed to a sig		
	Notes						ctive of human hea		
						Adj	ustment	\$4,750	
									\$250
									φ230
Violatio	on Event	ts							
		Number of \	/iolation Events	1		15	Number of violatior	days	
			daily						
			weekly						
			monthly				Vieletien Der	- Develop	40F0
			quarterly semiannual	X			Violation Bas	se Penalty	\$250
			annual						
			single event						
									1
		One quarter	-				he record review, N	lovember	
			23, 2020,	to the date	of screening,	December	8, 2020.		
		<u> </u>							
Good F	aith Effo	orts to Com		0.0%				Reduction	\$0
				ore NOE/NOV	NOE/NOV to ED	PRP/Settlemer	nt Offer		
			Extraordinary						
			Ordinary N/A	v					
				x he Respond		-	od faith criteria for		
					this v	violation.			
								- 	+050
							Violatio	ו Subtotal	\$250

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	\$73 Violation Final Penalty Total \$288
	This violation Final Assessed Penalty (adjusted for limits) \$288

		conomic	Denent		I NJIICEL		
	City of Throck	morton					
Case ID No.	60143						
eg. Ent. Reference No.	RN101410553						
-	Public Water S						Years of
Violation No.		~~~~				<b>Percent Interest</b>	Depreciation
Violation No.	•						
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$500	28-Jan-2020	1-Mar-2022	2.09	\$3	\$70	\$73
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
<b>Record Keeping System</b>				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
<b>Remediation/Disposal</b>				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
	The delay	ed cost includes tl	he estimated ar	nount t		e the surrace wash a	rms on the
Notes for DELAYED costs	system's fil		om the date of estimate	the inve d date	estigation initially of compliance.	documenting the vic	lation to the
Notes for DELAYED costs Avoided Costs	system's fill	ters, calculated fr	om the date of estimate	the inve d date	estigation initially of compliance. item (except fo	documenting the vic	d costs)
	system's fill	ters, calculated fr	om the date of estimate	the inve d date tering 0.00	estigation initially of compliance. item (except for \$0	documenting the vic r <b>one-time avoide</b> \$0	d costs) \$0
Avoided Costs Disposal Personnel	system's fill	ters, calculated fr	om the date of estimate	the inve d date tering 0.00 0.00	estigation initially of compliance. item (except for \$0 \$0	documenting the vic r <b>one-time avoide</b> \$0 \$0	d costs) \$0 \$0
Avoided Costs Disposal Personnel	system's fill	ters, calculated fr	om the date of estimate	the inve d date tering 0.00 0.00 0.00	estigation initially of compliance. item (except for \$0 \$0 \$0 \$0	documenting the vic r one-time avoide \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	system's fill	ters, calculated fr	om the date of estimate	the inve d date tering 0.00 0.00 0.00 0.00	estigation initially of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0	ocumenting the vice r one-time avoide \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	system's fill	ters, calculated fr	om the date of estimate	the inve d date tering 0.00 0.00 0.00 0.00 0.00	estigation initially of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	system's fill	ters, calculated fr	om the date of estimate	the inve d date 0.00 0.00 0.00 0.00 0.00 0.00 0.00	estigation initially of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	documenting the vic r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	system's fill	ters, calculated fr	om the date of estimate	the inve d date tering 0.00 0.00 0.00 0.00 0.00	estigation initially of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	system's fill	ters, calculated fr	om the date of estimate	the inve d date 0.00 0.00 0.00 0.00 0.00 0.00 0.00	estigation initially of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	documenting the vic r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0



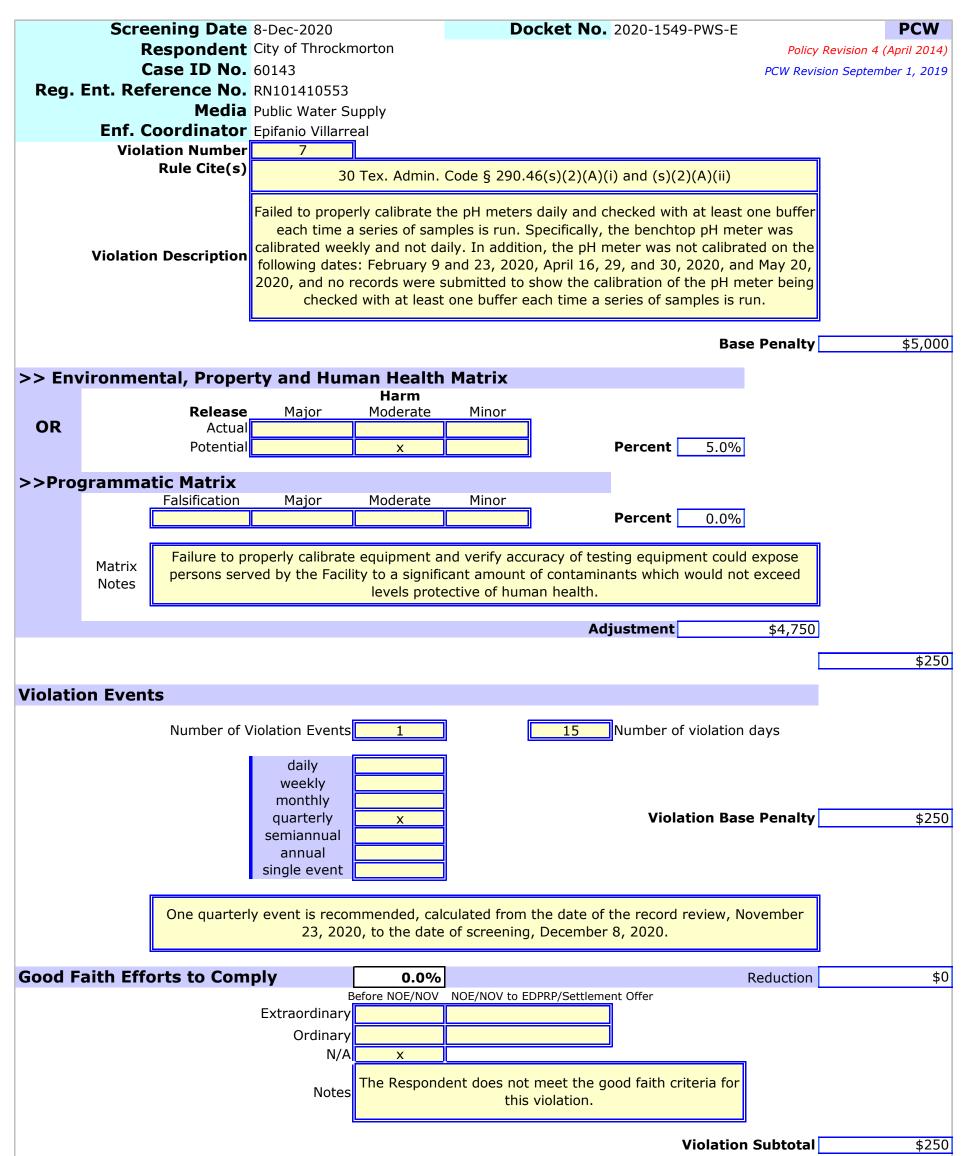
Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	\$806 Violation Final Penalty Total \$575
	This violation Final Assessed Penalty (adjusted for limits)\$575

60143	morton					
RN101410553					Percent Interest	Years of Depreciation
					5.0	15
Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
			0.00	\$0	\$0	\$0
				\$0	\$0	\$0
\$1,000	28-Jan-2020	1-Feb-2022	2.01	\$7	\$134	\$141
			0.00	\$0	\$0	\$0
						\$0
						\$0
						\$0 \$0
						<u>\$0</u> \$0
\$6,600	28-1an-2020	1-Feb-2022				\$665
The Other ( and other ma water and sl water in	as needed) delaye terials on the floor udge ponds; remo the chemical injec	ed cost includes r of the rooms a ove the piles of ction vault outsi	the est at the S trash a de the	imated amount to WTP; remove the nd equipment alor SWTP's building, c	remove the water, overgrown plants and og the fence line; and alculated from the c	sludge, trash t the backwash Id remove the late of the
ANNUA		usis before er				\$0
						\$0
			0.00	\$0	\$0 \$0	\$0 \$0
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	
						\$0
			0.00	\$0	\$0	<u>\$0</u> \$0
				\$0	\$0	
	5 Item Cost \$1,000 \$1,000 \$6,600 The Other of fence surrou the The Other of and other ma water and sl water in inv	Item Cost       Date Required         Image: Stress of the str	5         Item Cost       Date Required       Final Date         Image: Strain Stra	5         Item Cost       Date Required       Final Date       Yrs         0.00       0.00       0.00         1.000       28-Jan-2020       1-Feb-2022       2.01         0.00       0.00       0.00         1.000       28-Jan-2020       1-Feb-2022       2.01         0.00       0.00       0.00       0.00         0.00       0.00       0.00       0.00         0.00       28-Jan-2020       1-Feb-2022       2.01         0.00       0.00       0.00       0.00         0.00       1-Feb-2022       2.01       0.00         1.000       28-Jan-2020       1-Feb-2022       2.01         0.00       56,600       28-Jan-2020       1-Feb-2022       2.01         The Other delayed cost includes the estimated amo fence surrounding the chlorine dioxide building; remove the gas chlorine room; and provide adequa       1         The Other (as needed) delayed cost includes the est and other materials on the floor of the rooms at the S water and sludge ponds; remove the piles of trash a water in the chemical injection vault outside the investigation initially documenting the viola	5       Item Cost       Date Required       Final Date       Yrs       Interest Saved         Image: Solution of the stress	5       5       5         Item Cost Date Required Final Date       Yrs Interest Saved       Costs Saved         0.00       \$0       \$0         \$1,000       28-Jan-2020       1-Feb-2022       2.01       \$7       \$134         0.00       \$0       \$0       \$0       \$0         \$1,000       28-Jan-2020       1-Feb-2022       2.01       \$7       \$134         0.00       \$0       \$0       \$0       \$0         0.00       \$0       n/a       0.00       \$0       n/a         1       0.00       \$0       n/a       0.00       \$0       n/a         2       0.00       \$0       n/a       0.00       \$0       n/a         3       0.00       \$0       n/a       0.00       \$0       n/a         4       0.00       \$0       n/a       0.00       \$0       n/a         5       0.00       \$0       0.00       \$0

	Sereening Date	9 Dec 2020	<b>Docket No.</b> 2020-1549-PWS-E	PCW
	Screening Date	City of Throckmorton		<pre>/ Revision 4 (April 2014)</pre>
	Case ID No.			ision September 1, 2019
Rea.	Ent. Reference No.			sion September 1, 2019
Regi		Public Water Supply		
	Enf. Coordinator			
	Violation Number			
	Rule Cite(s)		Tex. Admin. Code § 290.43(c)(3)	1
	Violation Description	American Water Works Ass terminates downward with	acility's storage tank in strict accordance with current sociation ("AWWA") standards with an overflow pipe that h a gravity-hinged and weighted cover tightly fitted with ecifically, the 0.08 million-gallon clearwell was missing an overflow.	
			Base Penalty	\$5,000
>> Env	vironmental, Prope	rty and Human Healt	h Matrix	
	Release	Harm Majar Madarata	Minor	
OR	Actual		Minor	
	Potential	X	<b>Percent</b> 15.0%	
>>Prog	grammatic Matrix Falsification	Major Moderate	Minor	
	Taisincation		Percent 0.0%	
				-
			an overflow with a tightly fitting cover could allow which would exceed levels protective of human health.	
			Adjustment \$4,250	]
				\$750
				+, •••
Violatio	on Events			
	Number of V	/iolation Events <u>1</u> daily	15 Number of violation days	
		weekly		
		monthly x		
		quarterly semiannual	Violation Base Penalty	\$750
		annual		
		single event		
				า
	One monthly		ulated from the date of the record review, November 23, of screening, December 8, 2020.	
Good F	aith Efforts to Com	ply 0.0%	6 Reduction	\$0
			V NOE/NOV to EDPRP/Settlement Offer	ļ
		Extraordinary		
		Ordinary		
		N/A <mark>x</mark>		
		Notes The Respor	ndent does not meet the good faith criteria for this violation.	
			Violation Subtotal	\$750

Economic Benefit (EB) for this violation	Statutory Limit Test	
Estimated EB Amount	\$73 Violation Final Penalty Total	\$863
	This violation Final Assessed Penalty (adjusted for limits)	\$863

Case ID No.							
leg. Ent. Reference No. Media Violation No.	Public Water S					Percent Interest	Years of Depreciation
						5.0	
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description		•					
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$500	28-Jan-2020	1-Mar-2022	2.09	\$3	\$70	\$73
<b>Engineering/Construction</b>				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
<b>Record Keeping System</b>				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
<b>Remediation/Disposal</b>				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Other (as needed)	The delay	ed cost includes t	he estimated a		to provide an over	flow for the 0.08 mi	
Notes for DELAYED costs	clearwell, calc	culated from the c	late of the inves dat	mount f stigation e of con	n initially documer mpliance.	flow for the 0.08 mi iting the violation to	illion-gallon the estimated
Notes for DELAYED costs Avoided Costs	clearwell, calc	culated from the c	late of the inves dat	mount i stigation e of con <b>tering</b>	n initially documer mpliance. item (except fo	flow for the 0.08 mi iting the violation to r <b>one-time avoide</b>	illion-gallon the estimated <b>d costs)</b>
Notes for DELAYED costs Avoided Costs Disposal	clearwell, calc	culated from the c	late of the inves dat	mount t stigation e of con tering 0.00	n initially documer mpliance. item (except fo \$0	flow for the 0.08 mi iting the violation to r <b>one-time avoide</b> \$0	illion-gallon the estimated <b>d costs)</b> \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	clearwell, calc	culated from the c	late of the inves dat	mount t stigation te of con tering 0.00 0.00	n initially documer mpliance. item (except fo \$0 \$0	flow for the 0.08 mi iting the violation to r <b>one-time avoide</b> \$0 \$0	illion-gallon the estimated d costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	clearwell, calc	culated from the c	late of the inves dat	mount t stigation te of con tering 0.00 0.00 0.00	n initially documer mpliance. item (except fo \$0 \$0 \$0 \$0	flow for the 0.08 mi iting the violation to r <b>one-time avoide</b> \$0 \$0 \$0	illion-gallon b the estimated d costs) \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	clearwell, calc	culated from the c	late of the inves dat	mount t stigation te of con tering 0.00 0.00 0.00 0.00	n initially documer mpliance. item (except fo \$0 \$0 \$0 \$0 \$0 \$0	flow for the 0.08 mi iting the violation to r <b>one-time avoide</b> \$0 \$0 \$0 \$0 \$0	illion-gallon b the estimated d costs) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	clearwell, calc	culated from the c	late of the inves dat	mount t stigation tering 0.00 0.00 0.00 0.00 0.00	n initially documer mpliance. item (except fo \$0 \$0 \$0 \$0 \$0 \$0 \$0	flow for the 0.08 mi iting the violation to r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	illion-gallon b the estimated d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	clearwell, calc	culated from the c	late of the inves dat	mount t stigation te of con tering 0.00 0.00 0.00 0.00	n initially documer mpliance. item (except fo \$0 \$0 \$0 \$0 \$0 \$0	flow for the 0.08 mi iting the violation to r <b>one-time avoide</b> \$0 \$0 \$0 \$0 \$0	illion-gallon b the estimated d costs) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	clearwell, calc	culated from the c	late of the inves dat	mount t stigation e of con tering 0.00 0.00 0.00 0.00 0.00 0.00	n initially documer mpliance. item (except fo \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	flow for the 0.08 ministing the violation to the violatio	d costs) (1) d costs) (1) (2) (2) (3) (3) (4) (5) (5) (5) (5) (5) (5) (5) (5



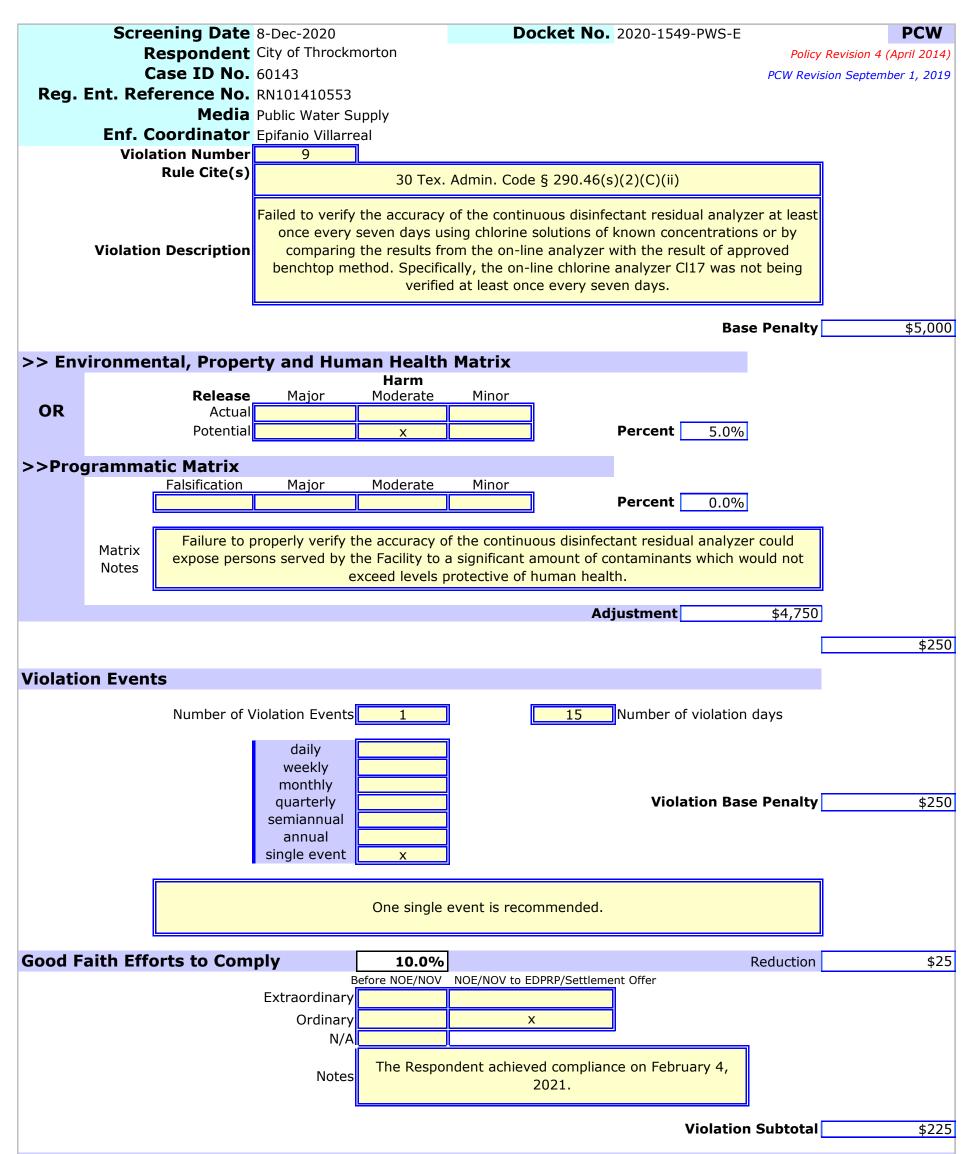
Economic Benefit (EB) for this violation	Statutory Limit Test	
Estimated EB Amount	\$23 Violation Final Penalty Total	\$288
	This violation Final Assessed Penalty (adjusted for limits)	\$288

	Public Water S	upply				Percent Interest	Years of
Violation No.	7						Depreciation
						5.0	15
		Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Équipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other				0.00	\$0	\$0	\$0
<b>Engineering/Construction</b>				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
<b>Record Keeping System</b>				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
<b>Remediation/Disposal</b>				0.00	\$0	n/a	\$0
Permit Costs			-	0.00	\$0	n/a	\$0
Other (as needed)	\$20	28-Jan-2020	1-Feb-2022	2.01	\$2	n/a e pH meters daily a	\$2
	-			-			
Notes for DELAYED costs	at least one t the in	nvestigation initia	lly documenting	les is ru the vio	plation to the estin	oring), calculated front nated date of compl	om the date of iance.
Avoided Costs	at least one t the in	nvestigation initia	lly documenting	les is ru the vio	item (except for	nated date of compl	om the date of iance. d costs)
Avoided Costs Disposal	at least one t the in	nvestigation initia	lly documenting	tering	item (except for \$0	nated date of compl r one-time avoide \$0	om the date of iance. d costs) \$0
Avoided Costs Disposal Personnel	at least one t the in	nvestigation initia	lly documenting	the violation of the second se	item (except for \$0 \$0	nated date of compl r one-time avoide \$0 \$0	om the date of iance. d costs) \$0 \$0
<b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling	at least one t the in	nvestigation initia	lly documenting	les is ru the vio tering 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0	nated date of compl r one-time avoide \$0 \$0 \$0	om the date of iance. d costs) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	at least one t the in	nvestigation initia	lly documenting	tering 0.00 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	nated date of compl r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0	om the date of iance. d costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	at least one t the in ANNUA	LIZE avoided c	lly documenting	tering 0.00 0.00 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	nated date of compl r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	om the date of iance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	at least one t the in	nvestigation initia	lly documenting	tering 0.00 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	nated date of compl r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0	om the date of iance. d costs) \$0 \$0 \$0 \$0 \$0 \$0

	Sara	oning Data	9 Dec 2020		Do	skat Na 🤉	020-1549-PWS-	-	PCW
		ening Date Respondent		morton	Du	cket NO. 2	020-1549-2005-0		-
		Case ID No.							Revision 4 (April 2014)
Dog		ference No.						PCW Revis	sion September 1, 2019
Reg.			Public Water S						
	Enf (	Coordinator							
		ation Number	•						
	VIOR	Rule Cite(s)							
			31	u Tex. Admin.	Code § 290.46	b(S)(Z)(B)(I)	and (s)(2)(B)(ii)		
	Violatio	n Description	a series of sa Specifically, time the be	mples is tested the Responder nchtop turbidir calibration of t	d, and if neces nt did not resta meter primary	sary, recalib andardize the calibration v urbidimeter v	condary standard rate with primary e secondary stan vas completed an with the secondar tested.	y standards. dards each Id was not	
							B	ase Penalty	\$5,000
							D	ase renally	\$3,000
>> Env	vironme	ntal, Prope	rty and Hun	nan Health	Matrix				
		Dalaaaa	Maiau	Harm	N45				
OR		<b>Release</b> Actual	Major	Moderate	Minor				
• · · ·		Potential		×		F	Percent 5.0°	10	
					11				
>>Prog	gramma	tic Matrix							
		Falsification	Major	Moderate	Minor	_			
						F	Percent 0.00	<b>%</b>	
	Matrix Notes			•			served by the Fa		
	Notes	Significant a						an nearth	
						۸diu	stment	\$4,750	
						Auju	istinent	\$4,750	
									\$250
Violatia	on Even	ta.							
VIOIALIO		15							
		Number of V	iolation Events	5 1		15 N	lumber of violatio	on days	
			daily						
			weekly monthly						
			quarterly		1		Violation Ba	ase Penalty	\$250
			semiannual		j			· · · · · · · · ·	7-55
			annual						
			single event	X	J				
									1
		One single ev		-			ecord review, Nov	vember 23,	
			2020	, to the date o	of screening, D	ecember 8, 2	2020.		
					1				
Good F	aith Effe	orts to Com					0.55	Reduction	\$0
			Extraordinary		NOE/NOV to ED	PKP/Settlement	. offer		
			Ordinary						
			N/A						
			N/ /*		n				
			Notes	The Respond			od faith criteria fo	r	
					this v	violation.			

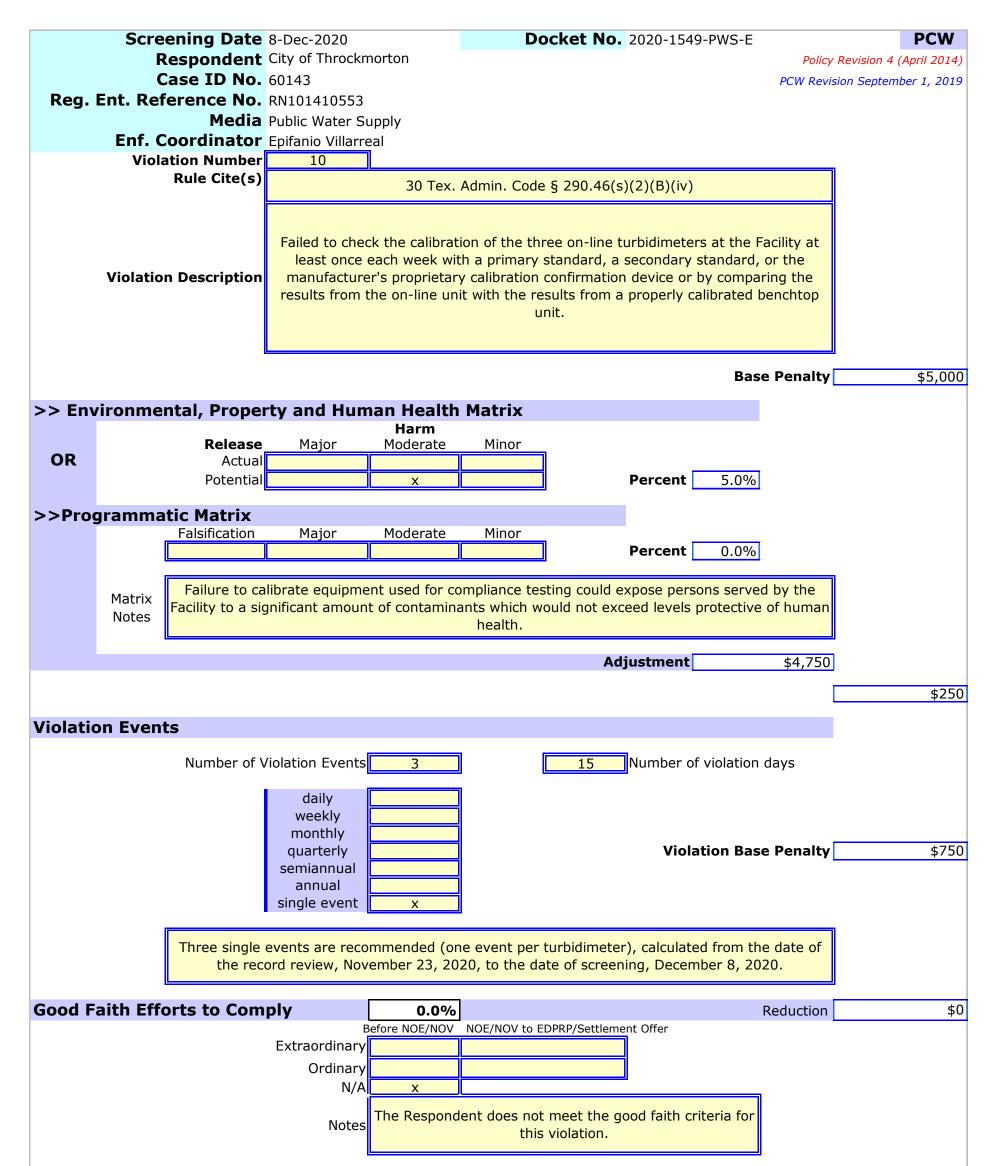
	Violation Subtotal \$250
Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	\$10 Violation Final Penalty Total \$288
	This violation Final Assessed Penalty (adjusted for limits) \$288

		conomic					
Respondent		morton					
Case ID No.							
leg. Ent. Reference No.							
Media	Public Water S	Supply				Percent Interest	Years of
Violation No.	8					Fercent Interest	Depreciation
						5.0	
	Item Cost	Date Required	Final Date	Vrc	Interest Saved		EB Amount
Item Decemintion		Date Required	i mai Date	115	Interest Saveu	COSIS Saveu	LD Amount
Item Description							
Delayed Costs	<b>b</b>					1	
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0 \$0	\$0	\$0 \$0
Land Record Keeping System				0.00	\$0	n/a n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$100 The delayer	28-Jan-2020		2.01	\$10	n/a	\$10
Other (as needed) Notes for DELAYED costs	The delaye	d cost includes the achtop turbidimete	e estimated am er accuracy che	2.01 ount to cks, ca	restandardized se	n/a condary standards date of the investiga	\$10 to be utilized
	The delayed during ber	d cost includes the achtop turbidimete document	e estimated am er accuracy che ting the violatio	2.01 ount to cks, ca n to the	restandardized se lculated from the c e estimated date o	n/a condary standards date of the investiga	\$10 to be utilized tion initially
Notes for DELAYED costs	The delayed during ber	d cost includes the achtop turbidimete document	e estimated am er accuracy che ting the violatio	2.01 ount to cks, ca n to the	restandardized se lculated from the c e estimated date o	n/a condary standards date of the investiga f compliance.	\$10 to be utilized tion initially
Notes for DELAYED costs Avoided Costs	The delayed during ber	d cost includes the achtop turbidimete document	e estimated am er accuracy che ting the violatio	2.01 ount to cks, cal n to the <b>tering</b> 0.00 0.00	restandardized se lculated from the o e estimated date o item (except fo \$0 \$0	n/a condary standards date of the investiga f compliance. r one-time avoide \$0 \$0	\$10 to be utilized ation initially <b>d costs)</b> \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	The delayed during ber	d cost includes the achtop turbidimete document	e estimated am er accuracy che ting the violatio	2.01 ount to cks, cal n to the <b>tering</b> 0.00 0.00 0.00	restandardized se culated from the o e estimated date o item (except fo \$0 \$0 \$0 \$0	n/a condary standards date of the investiga f compliance. r one-time avoide \$0 \$0 \$0	\$10 to be utilized ation initially d costs) \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	The delayed during ber	d cost includes the achtop turbidimete document	e estimated am er accuracy che ting the violatio	2.01 ount to cks, cal n to the tering 0.00 0.00 0.00 0.00	restandardized se culated from the o e estimated date o item (except fo \$0 \$0 \$0 \$0 \$0 \$0	n/a condary standards date of the investiga f compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0	\$10 to be utilized ation initially d costs) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	The delayed during ber	d cost includes the achtop turbidimete document	e estimated am er accuracy che ting the violatio	2.01 ount to cks, cal n to the tering 0.00 0.00 0.00 0.00	restandardized se culated from the o e estimated date o item (except fo \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a condary standards date of the investiga f compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$10 to be utilized ation initially d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	The delayed during ber	d cost includes the achtop turbidimete document	e estimated am er accuracy che ting the violatio	2.01 ount to cks, ca n to the tering 0.00 0.00 0.00 0.00 0.00 0.00	restandardized se culated from the of e estimated date o item (except fo \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a condary standards date of the investiga f compliance. <b>r one-time avoide</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$10 to be utilized ation initially d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	The delayed during ber	d cost includes the achtop turbidimete document	e estimated am er accuracy che ting the violatio	2.01 ount to cks, cal n to the tering 0.00 0.00 0.00 0.00	restandardized se culated from the o e estimated date o item (except fo \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a condary standards date of the investiga f compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$10 to be utilized ation initially d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs <b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	The delayed during ber	d cost includes the achtop turbidimete document	e estimated am er accuracy che ting the violatio	2.01 ount to cks, ca n to the tering 0.00 0.00 0.00 0.00 0.00 0.00	restandardized se culated from the of e estimated date o item (except fo \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a condary standards date of the investiga f compliance. <b>r one-time avoide</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$10 to be utilized ation initially <b>d costs)</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0



Economic Benefit (EB) for this violation	Statutory Limit Test	
Estimated EB Amount	\$11 Violation Final Penalty Total	\$263
	This violation Final Assessed Penalty (adjusted for limits)	\$263

eg. Ent. Reference No. Media	Public Water S						Years of
Violation No.						Percent Interest	Depreciation
						5.0	1!
	Item Cost	<b>Date Required</b>	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0 \$0
Record Keeping System Training/Sampling				0.00	<u>\$0</u> \$0	n/a n/a	<u>\$0</u> \$0
Remediation/Disposal				0.00	<u>\$0</u> \$0	n/a	<u>\$0</u> \$0
Permit Costs				0.00	\$0	n/a	<u>\$0</u> \$0
				0.00	<b>4</b> 0	11/4	
Other (as needed)						n/a acy of the Cl17 on-li	\$1 ne chlorine
Other (as needed) Notes for DELAYED costs	The delay analyzer (\$1	ed cost includes t 10 every seven da	he estimated a ays) using chlor	mount t ine solu	o verify the accur tions of known co	n/a	\$1 ne chlorine ated from the
	The delay analyzer (\$: dat	ed cost includes t 10 every seven da e of the investiga	he estimated a ays) using chlor tion initially doo	mount t ine solu cumenti	o verify the accur tions of known co ng the violation to	n/a acy of the Cl17 on-li ncentrations, calcula	\$1 ne chlorine ated from the ince.
Notes for DELAYED costs	The delay analyzer (\$: dat	ed cost includes t 10 every seven da e of the investiga	he estimated a ays) using chlor tion initially doo	mount t ine solu cumenti tering	o verify the accur tions of known co ng the violation to <b>item (except fo</b> \$0	n/a acy of the Cl17 on-li ncentrations, calcula the date of complia <b>r one-time avoide</b> \$0	\$1 ne chlorine ated from the ince. d costs) \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	The delay analyzer (\$: dat	ed cost includes t 10 every seven da e of the investiga	he estimated a ays) using chlor tion initially doo	mount t ine solu cumenti tering 0.00	o verify the accur tions of known co ng the violation to item (except fo \$0 \$0	n/a acy of the Cl17 on-lin ncentrations, calcula the date of complia the date of complia the date of complia	\$1 ne chlorine ated from the ince. d costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	The delay analyzer (\$: dat	ed cost includes t 10 every seven da e of the investiga	he estimated a ays) using chlor tion initially doo	mount t ine solu cumenti tering 0.00 0.00	o verify the accur tions of known co ng the violation to <b>item (except fo</b> \$0 \$0 \$0	n/a acy of the Cl17 on-li ncentrations, calcula the date of complia the date of complia of the date of complia of the date of complia the date of complia of the date of complia the date of complia the date of complia	\$1 ne chlorine ated from the ince. d costs) \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	The delay analyzer (\$: dat	ed cost includes t 10 every seven da e of the investiga	he estimated a ays) using chlor tion initially doo	mount t ine solu cumenti tering 0.00 0.00 0.00	o verify the accur tions of known co ng the violation to <b>item (except fo</b> \$0 \$0 \$0 \$0 \$0	n/a acy of the Cl17 on-li ncentrations, calcula the date of complia the date of complia of the date of complia of the date of complia the date of complia of the date of complia the date of compliant the date	\$1 ne chlorine ated from the nce. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	The delay analyzer (\$: dat	ed cost includes t 10 every seven da e of the investiga	he estimated a ays) using chlor tion initially doo	mount t ine solu cumenti utering 0.00 0.00 0.00 0.00	o verify the accur tions of known co ng the violation to <b>item (except fo</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a acy of the Cl17 on-li ncentrations, calcula the date of complia the date of complia of the date of the date of complia of the date of the	\$1 ne chlorine ated from the nce. <b>d costs)</b> \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	The delay analyzer (\$: dat	ed cost includes t 10 every seven da e of the investiga	he estimated a ays) using chlor tion initially doo	mount t ine solu cumenti tering 0.00 0.00 0.00	o verify the accur tions of known co ng the violation to <b>item (except fo</b> \$0 \$0 \$0 \$0 \$0	n/a acy of the Cl17 on-li ncentrations, calcula the date of complia the date of complia of the date of complia of the date of complia the date of complia of the date of complia the date of compliant the date	\$1 ne chlorine ated from the nce. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0



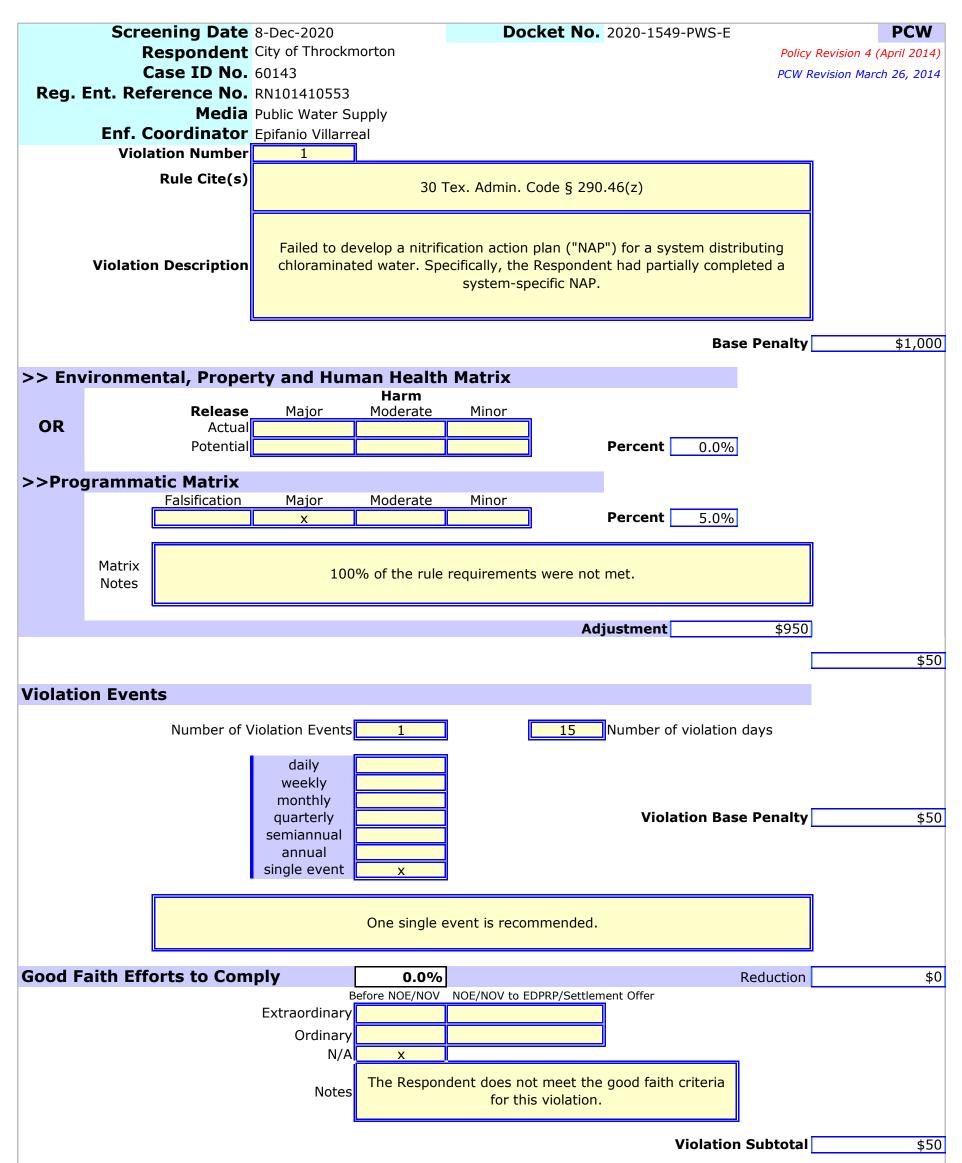
	Violation Subtotal \$750
Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	\$18 Violation Final Penalty Total \$863
	This violation Final Assessed Penalty (adjusted for limits) \$863

eg. Ent. Reference No. Media Violation No.	Public Water S	upply					
	10	прых				Percent Interest	Years of Depreciation
						5.0	- 15
	Item Cost	Date Required	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description							
Delayed Costs				-			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$15	28-Jan-2020	1-Feb-2022	2.01	\$2	n/a	\$2
Notes for DELAYED costs Avoided Costs	inv	estigation initially	v documenting t	he viola	ation to the estima	ek, calculated from t ted date of compliar r <b>one-time avoide</b>	nce.
	Annor			0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
nspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	<u>\$0</u>
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)	\$15	28-Jan-2020	8-Dec-2020	0.86	\$1	\$15	\$16
Notes for AVOIDED costs		cost includes the riod x three on-li	estimated amound amound and a sturbidimeter	s) at lea		n of on-line turbidim ek, calculated from t date of screening.	

STATE OF THE STATE	Policy Rev	Pe rision 4 (April 2014)	nalty Calculati	on Worksl	neet (PC		Revision March 2	?6, 2014
DATES	Assigned PCW	7-Dec-2020 8-Dec-2021	Screening 8-Dec-2020	EPA Due		]		
DECDO								
RESPO		TY INFORMATIC City of Throckmo						
	g. Ent. Ref. No. ty/Site Region			Major / N	1inor Source	Minor		
Гасш	ty/Site Region	3-ADITETTE			amor Source	MINO		
	NFORMATION	60142			of Violations	1		
	f./Case ID No. Docket No.	2020-1549-PWS-	E		Order Type			
Mec	lia Program(s)	Public Water Sup			t/Non-Profit	Yes		
	Multi-Media			Enf.		Epifanio Villari		
Adı	min. Penalty \$ I	Limit Minimum	\$50 Maximum	\$1,000	EC S Team	Enforcement 1	eallio	
			Penalty Calcu		on			
ΤΟΤΑ	L BASE PENA	LTY (Sum of	violation base pena	alties)		Subtotal 1		\$50
ADJU		/-) TO SUBTO						
	Subtotals 2-7 are of Compliance His		the Total Base Penalty (Subtota 15.09			tals 2, 3, & 7		\$7
	compliance m	story	15.0	<b>/o</b> Adjustment	Subto			<b>\$</b> 7
	Notes	Enhanceme	nt for three NOVs with th	e same/similar vio	olations.			
	Culpability	No	0.00	<b>/o</b> Enhancement		Subtotal 4		\$0
	Notes	The Res	pondent does not meet t	he culpability crite	eria.			
	Good Faith Effe	ort to Comply To	otal Adjustments			Subtotal 5		\$0
	Economic Bene	efit Total EB Amounts		<b>/o</b> Enhancement* ped at the Total EB \$ .	Amount	Subtotal 6		\$0
	Estimated	Cost of Compliance	\$45		, inounc			
SUM (	OF SUBTOTA	LS 1-7			F	inal Subtotal		\$57
OTHE	R FACTORS A	S JUSTICE M	AY REQUIRE	0.0%		Adjustment		\$0
Reduces of	or enhances the Final	Subtotal by the indica	ated percentage.			1		
	Notes							
					Final Per	halty Amount		\$57
STATI	JTORY LIMIT	ADJUSTMEN	т		Final Asse	ssed Penalty		\$57
DEFE				20.0%	Reduction	Adjustment		-\$11
Reduces t	he Final Assessed Pe	nalty by the indicated	percentage.			1	•	
	Notes	D	eferral offered for expedi	ted settlement.				
ΡΑΥΑ	BLE PENALT	1						\$46
		-						

	Screen	ing Date 8-Dec-2020 Docket No. 2020-1549-PWS-E		PCW
		pondent City of Throckmorton		cy Revision 4 (April 2014
Rec		e ID No. 60143 ence No. RN101410553	PCW	Revision March 26, 201
Reg		Media Public Water Supply		
	Enf. Coo	ordinator Epifanio Villarreal		
		Compliance History Worksheet		
>> Co	-	ory Site Enhancement (Subtotal 2)		
	Component	Number of	Number	Adjust.
	NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	3	15%
		Other written NOVs Any agreed final enforcement orders containing a denial of liability (number of	0	0%
		orders meeting criteria)	0	0%
	Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
	Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgments or consent decrees meeting criteria</i> )	0	0%
	and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government		0%
	Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
	Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
		Environmental management systems in place for one year or more	No	0%
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Other	Participation in a voluntary pollution reduction program	No	0%
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
		Adjustment Per	rcentage (Sub	ototal 2) 15%
>> Re	epeat Violator (			
	N/A	Adjustment Per	centage (Sub	ototal 3) 0%
>> Co	mpliance Histo	ory Person Classification (Subtotal 7)		
	Satisfactory I	Performer Adjustment Per	rcentage (Sub	total 7) 0%
>> Co	mpliance Histo	ory Summary		
	Compliance History Notes	Enhancement for three NOVs with the same/similar violations.		
		Total Compliance History Adjustment Percentage (	Subtotals 2,	<b>3, &amp; 7)</b> 15%
>> Fina	ai Compliance	History Adjustment Final Adjustment Percent	age *capped	at 100% 15%

# PCW



Economic Benefit (EB) for this violatio	n Stat	utory Limit Test
Estimated EB Amount	\$11 Violati	on Final Penalty Total \$58
	This violation Final Assessed Penalt	y (adjusted for limits) \$58

	E	conomic	Benefit	Wo	rksheet		
Respondent	City of Throck	morton					
Case ID No.							
eg. Ent. Reference No.							
	Public Water S						Years of
Violation No.		սիին				<b>Percent Interest</b>	Depreciation
violation No.	1						
						5.0	1
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
<b>Record Keeping System</b>				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
<b>Remediation/Disposal</b>				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$45	19-Apr-2017	1-Feb-2022	4.79	\$11	n/a	\$11
Notes for DELAYED costs	of the	investigation initia	ally documentir	ng the w	violation to the est	cific NAP, calculated	oliance.
Notes for DELAYED costs Avoided Costs	of the	investigation initia	ally documentir	ng the v	iolation to the esti	mated date of com	oliance. d costs)
	of the	investigation initia	ally documentir	tering	iolation to the esti item (except for \$0	mated date of composite the second se	d costs) \$0
Avoided Costs Disposal Personnel	of the	investigation initia	ally documentir	tering 0.00 0.00	iolation to the esti item (except for \$0 \$0	mated date of comp r one-time avoide \$0 \$0	d costs) \$0 \$0
<b>Avoided Costs</b> Disposal Personnel nspection/Reporting/Sampling	of the	investigation initia	ally documentir	tering 0.00 0.00 0.00	iolation to the estination to the estination to the estination of the estingth of the estingt of the esting	r <b>one-time avoide</b> \$0 \$0 \$0 \$0	bliance. d costs) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	of the	investigation initia	ally documentir	tering 0.00 0.00 0.00 0.00	iolation to the estination to the estination to the estination for the estination of	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	bliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	of the	investigation initia	ally documentir	tering 0.00 0.00 0.00 0.00 0.00	iolation to the estimation           item (except for           \$0           \$0           \$0           \$0           \$0           \$0           \$0           \$0           \$0           \$0           \$0           \$0           \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	bliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	of the	investigation initia	ally documentir	tering 0.00 0.00 0.00 0.00 0.00 0.00	iolation to the estination to the estination to the estination for the estination of	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	bliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	of the	investigation initia	ally documentir	tering 0.00 0.00 0.00 0.00 0.00	iolation to the estimation           item (except for           \$0           \$0           \$0           \$0           \$0           \$0           \$0           \$0           \$0           \$0           \$0           \$0           \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	bliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	of the	investigation initia	ally documentir	tering 0.00 0.00 0.00 0.00 0.00 0.00	iolation to the estination to the estination to the estination for the estination of	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	bliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Sommer and a	Policy Revi	Pe ision 5 (January 28, 2	nalty Calc	ulatio	n Worksh	ieet (PC	,	vision February 11	1, 2021
DATES			-				I		
	PCW	9-Mar-2021	Screening 9-N	1ar-2021	EPA Due	31-Dec-2021			
RESPO		TY INFORMATIO							
Bo	Respondent g. Ent. Ref. No.	City of Throckmo	rton						
	ty/Site Region				Major/M	inor Source	Minor		
	NFORMATION f./Case ID No.	60143			No. o	f Violations	2		
		2020-1549-PWS	·E		NO. 0	Order Type			
Med		Public Water Sup	ply		Government	/Non-Profit	Yes		
	Multi-Media				Enf. (		Epifanio Villari Enforcement 1		
Adı	min. Penalty \$ I	Limit Minimum[	\$50 <b>Max</b>	(imum	\$5,000	EC S Team			
			Davasla	2-1					
					tion Sectio	n			
ΤΟΤΑ	L BASE PENA	LTY (Sum of	violation bas	e penalt	ies)		Subtotal 1	\$3	3,000
ADJU	STMENTS (+	/-) TO SUBTO	TAL 1						
	Subtotals 2-7 are of	tained by multiplying	the Total Base Penalt					[	+ 450
	Compliance Hi	story		15.0%	Adjustment	Subto	tals 2, 3, & 7		\$450
	Notes	Enhanceme	nt for three NOVs	with the s	ame/similar vio	lations.			
	Culpability	No		0.0%	Enhancement		Subtotal 4		\$0
	Notes	The Re	spondent does no	t meet the	culnability crite	ria			
	10000								
	Cood Toith Eff	aut to Community T		-			Cubbabal E		¢0
	Good Faith Ein	ort to comply to	otal Adjustment	5			Subtotal 5		\$0
	Factor in Data	- C'1-		0.00/			Gerhandel C	r	
	Economic Bene	Total EB Amounts	\$822		Enhancement* I at the Total EB \$ A	mount	Subtotal 6		\$0
	Estimated	Cost of Compliance	\$5,045						
SUM (		S 1-7				F	inal Subtotal	¢?	3,450
COPT							na Subtotal	<b>ب</b>	-, 130
		AS JUSTICE M			0.0%		Adjustment		\$0
Reduces of	or enhances the Final	Subtotal by the indic	ated percentage.				1		
	Notes								
						Final Pen	alty Amount	\$3	3,450
STATI			т			Final Assa	ssed Penalty	¢-	3,450
SIAN		ADJUSTMEN				Filiai ASSC	sseu renaity	φ.	5,450
DEFE	RRAL			[	20.0%	Reduction	Adjustment	-	\$690
Reduces t	the Final Assessed Pe	nalty by the indicated	percentage.						
	Notes	Г	eferral offered fo	r exnedited	1 settlement				
	NOLCO	L		expedited					
	BLE PENALT								2,760

Reg. I	Cas Ent. Refer	SpondentCity of ThrockmortonSe ID No.60143ence No.RN101410553MediaPublic Water SupplyordinatorEpifanio Villarreal		ision 5 (January 28, 2 Revision February 11,
		<b>Compliance History Worksheet</b>		
	oliance Histo Omponent	ory <i>Site</i> Enhancement (Subtotal 2) Number of	Number	Adjust.
	NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	3	15%
		Other written NOVs	0	0%
		Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	0	0%
	Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
	Judgments nd Consent	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgments or consent decrees meeting criteria</i> )	0	0%
a	Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
C	Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
	Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
		Environmental management systems in place for one year or more	No	0%
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Other	Participation in a voluntary pollution reduction program	No	0%
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
Dono	at Violator (	Adjustment Pero	centage (Sul	btotal 2) 159
> Repe	N/A	(Subtotal 3) Adjustment Pere	centage (Sul	btotal 3) 0%
		ory Person Classification (Subtotal 7)		
	Satisfactory I		centage (Sul	btotal 7) 09
> Comp	mance Histo	ory Summary		_
С	compliance History Notes	Enhancement for three NOVs with the same/similar violations.		
		Total Compliance History Adjustment Percentage (S	Subtotals 2,	<b>3, &amp; 7)</b> 159
> Final C	Compliance	History Adjustment		
		Final Adjustment Percenta	aye ~capped	at 100% 159

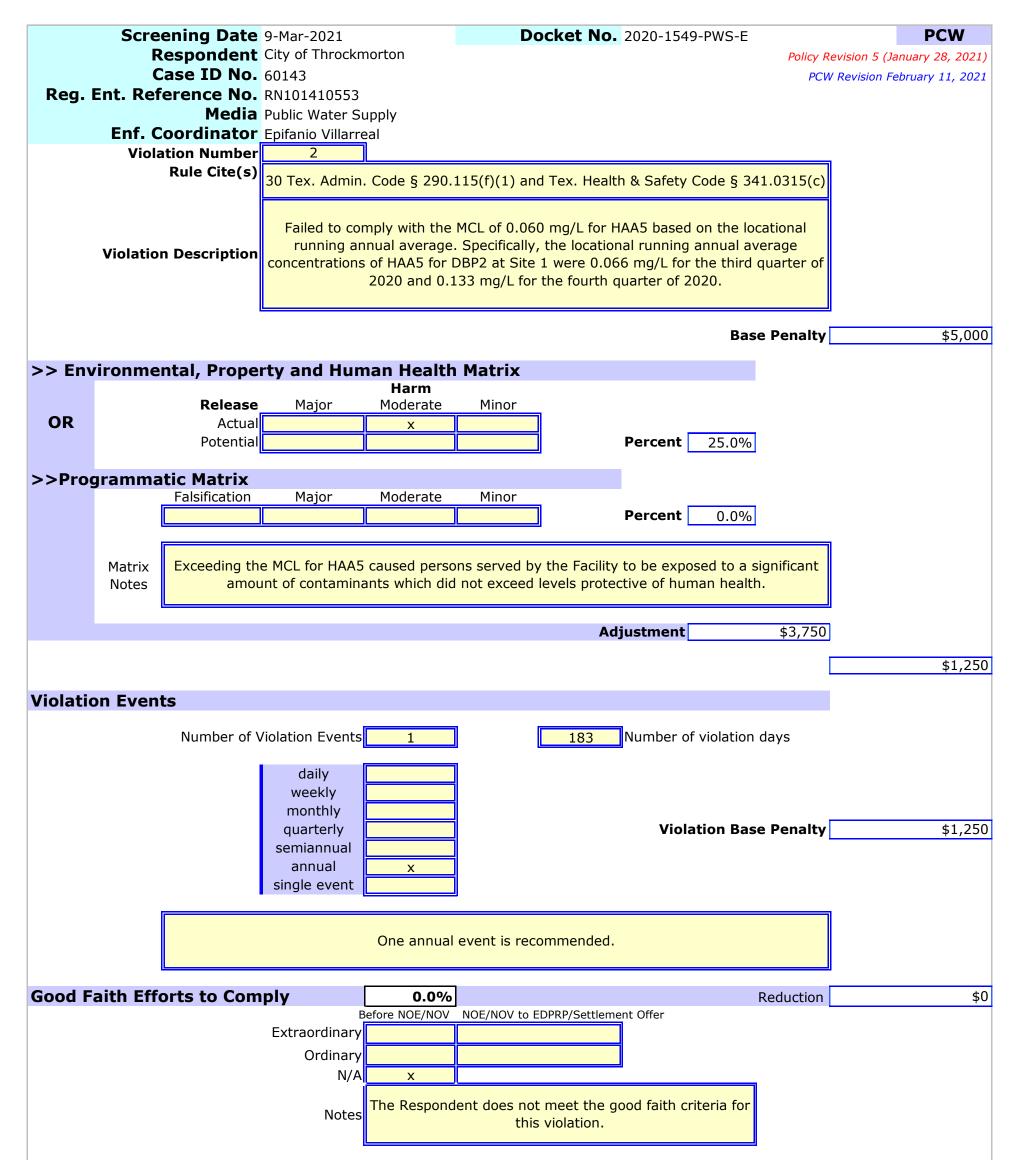
**Docket No.** 2020-1549-PWS-E

Screening Date 9-Mar-2021

## PCW

	Screening Date		Docket No. 2020-1549-PWS-E	PCW
	Respondent Case ID No.	City of Throckmorton	· · · · · · · · · · · · · · · · · · ·	Policy Revision 5 (January 28, 2021)
Reg.	Ent. Reference No.			PCW Revision February 11, 2021
	Media	Public Water Supply		
	Enf. Coordinator			
	Violation Number			
	Rule Cite(s)	30 Tex. Admin. Code §	§ 290.115(f)(1) and Tex. Health & Safety Code § 341.0315(c)	
			he maximum contaminant level ("MCL") of 0.080	
		locational running annual	L") for total trihalomethanes ("TTHM") based on t average. Specifically, the locational running annu	
	Violation Description	average concentrations of 7	ITHM for Stage 2 Disinfection Byproducts ("DBP2"	) at
		Site I were 0.096 mg/L h	or the third quarter of 2020 and 0.129 mg/L for th fourth quarter of 2020.	
		I <u></u>	Base Per	alty \$5,000
				arcy \$5,000
>> Env	vironmental, Prope	rty and Human Health <sub>Harm</sub>	Matrix	
	Release		Minor	
OR	Actual			
	Potential		<b>Percent</b> 25.0%	
>>Prog	grammatic Matrix			
	Falsification	Major Moderate	Minor Percent 0.0%	
	Matrix Exceeding the	MCL for TTHM caused person	ns served by the Facility to be exposed to a signif	icant
	-	•	not exceed levels protective of human health.	Canc
			Adjustment \$3	,750
				\$1,250
Violatio	on Events			
	Number of \	/iolation Events 1	<b>183</b> Number of violation days	
		daily		
		weekly		
		monthly		
		quarterly semiannual	Violation Base Per	salty \$1,250
		annual <u>x</u>		
		single event		
		One annual	event is recommended.	
Good F	aith Efforts to Com		NOE/NOV to EDPRP/Settlement Offer	tion \$0
		Extraordinary		
		Ordinary		
		N/A <mark>x</mark>		
		Notes The Respon	dent does not meet the good faith criteria	
			for this violation.	
			Violation Sub	total \$1,250
Econor	nic Benefit (EB) for	this violation	Statutory Limit Tes	<u>.</u>
	Estimate	ed EB Amount	\$819 Violation Final Penalty T	<b>otal</b> \$1,438
		This viola	ation Final Assessed Penalty (adjusted for lin	nits) \$1,438

	E	conomic	Benefit	Wo	rksheet		
Respondent	City of Throck	morton					
Case ID No.							
Reg. Ent. Reference No.							
	Public Water S	Supply				<b>Percent Interest</b>	Years of
Violation No.	1						Depreciation
						5.0	15
	Item Cost	Date Required	<b>Final Date</b>	Yrs	Interest Saved	Costs Saved	EB Amount
Item Decemintion		Bute Required			Interest Saved		ED Amount
Item Description							
Delayed Costs					-		
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$5,000	30-Sep-2020	1-Feb-2023	2.34	\$39	\$780	\$819
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System		1		0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal Permit Costs				0.00	\$0 \$0	n/a	<u>\$0</u> \$0
Other (as needed)				0.00	\$0	n/a n/a	<u>\$0</u> \$0
Notes for DELAYED costs	corrective	e actions to return	to compliance	with th	e MCLs for TTHM a	fy, and implement t and haloacetic acids ne estimated date o	("HAA5"),
Avoided Costs	ANNUA	LIZE avoided co	osts before en	tering	item (except for	one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)	-			0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
	L						



	Violation Subtotal \$1,250
Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	\$0 Violation Final Penalty Total \$1,438
	This violation Final Assessed Penalty (adjusted for limits) \$1,438

	E	conomic	Benefit	Wo	rksheet		
Respondent	City of Throck	morton					
Case ID No.							
Reg. Ent. Reference No.		!					
-							Versee
	Public Water S	ырріу				<b>Percent Interest</b>	Years of
Violation No.	2						Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description							
Item Description							
Delayed Costs	1	7					
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0 \$0	n/a	<u>\$0</u> \$0
Training/Sampling				0.00	\$0 ¢0	n/a	
Remediation/Disposal Permit Costs				0.00	\$0	n/a	<u>\$0</u>
Other (as needed)				0.00	\$0 \$0	n/a n/a	<u>\$0</u> \$0
Notes for DELAYED costs						t Worksheet for Vio	
Avoided Costs	ANNUA	LIZE avoided co	osts before er	tering	item (except for	one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
	,						

	Scre	ening Date	9-Mar-2021		Do	ocket No.	2020-1549-PWS-E			PCW
			City of Throckn	norton				Policy F	evision 5 (Ja	anuary 28, 2021)
_		ase ID No.						PCV	V Revision F	ebruary 11, 2021
Reg.	Ent. Ref		RN101410553							
	Enf (		Public Water S							
		ation Number	Epifanio Villarre	ear						
	VIOIC	Rule Cite(s)								
				30 16	ex. Admin. Co	ode § 290.1	15(e)(2)			
	Violatio	n Description	report to the results that ca	e Executive Di used an excee	rector within edance of the	90 days aft e operationa	t a written operation er being notified of a l evaluation level for d quarter of 2020.	nalytical TTHM and		
							Bas	e Penalty		\$5,000
>> Env	vironme	ntal, Prope	rty and Hun	nan Health	Matrix					
				Harm						
0.0		Release		Moderate	Minor	ล				
OR		Actual Potential					Percent 0.0%			
		Potential				<u> </u>				
>>Prog	gramma	tic Matrix								
		Falsification	Major	Moderate	Minor	2				
			x				<b>Percent</b> 10.0%			
	Matrix Notes		100	0% of the rule	e requiremen	ts were not	met.			
						Ad	justment	\$4,500		
										\$500
Violatio	on Even	ts								
		Number of )	liabian Eventa	4	ก	4 5	Number of violation	dave		
		Number of v	/iolation Events	L	IJ	15	Number of violation	uays		
			daily weekly monthly quarterly				Violation Bas	e Penalty		\$500
			semiannual annual							
			single event	х						
			-							
				One single	event is reco	ommended.				
Good F	aith Eff	orts to Com	ply	0.0%				Reduction		\$0
			E	Before NOE/NOV		DPRP/Settlem	ent Offer			
			Extraordinary				4			
			Ordinary				J			
			N/A	X	<u>  </u>					
			Notes	The Respond		t meet the g s violation.	ood faith criteria for			

	Violation Subtotal \$500
Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	\$3 Violation Final Penalty Total \$575
	This violation Final Assessed Penalty (adjusted for limits) \$575

	E	conomic	Benefit	Wo	rksheet		
Respondent	City of Throck	morton					
Case ID No.							
leg. Ent. Reference No.		,					
-							Years of
	Public Water S	supply				<b>Percent Interest</b>	
Violation No.	3						Depreciation
						5.0	15
	Item Cost	<b>Date Required</b>	Final Date	Yrs	<b>Interest Saved</b>	Costs Saved	EB Amount
Item Description		•					
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	<u> </u>
Other (as needed)				0.00	\$0	\$0	<u>\$0</u>
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
<b>Record Keeping System</b>	\$45	20-Dec-2020	1-Feb-2022	1.12	\$3	n/a	\$3
Training/Sampling				0.00	\$0	n/a	\$0
<b>Remediation/Disposal</b>				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	operation	evaluation report evalu	to the Executiv ation report to	e Direct the esti	or, calculated from mated date of con	·	e operation
Avoided Costs		ALIZE avoided co	osts before er			r one-time avoide	
Disposal				0.00	\$0 ¢0	\$0 \$0	<u>\$0</u>
Personnel Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	<u>\$0</u> \$0
Supplies/Equipment				0.00	\$0	\$0	<u>\$0</u> \$0
Financial Assurance				0.00	\$0	\$0	<u> </u>
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	<u> </u>
						· · · · · · · · · · · · · · · · · · ·	
Notes for AVOIDED costs							



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# Compliance History Report

Compliance History Report for CN600247894, RN101410553, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator:	CN600247894, City of Throckmorton	Classification: SATISFACTO	DRY <b>Rating:</b> 41.54					
Regulated Entity:	RN101410553, CITY OF THROCKMORTON	Classification: NOT APPLIC	CABLE Rating: N/A					
<b>Complexity Points:</b>	N/A	Repeat Violator: N/A						
CH Group:	14 - Other	-						
Location:	121 N MINTER AVENUE, THROCKMORTON	N, THROCKMORTON COUNTY, TEX	AS					
TCEQ Region:	,,,,,,,							
ID Number(s): PUBLIC WATER SYSTEM/S 2240001								
Compliance History Peri	od: September 01, 2015 to August 31, 2	020 <b>Rating Year:</b> 2020	<b>Rating Date:</b> 09/01/2020					
Date Compliance History	<b>Report Prepared:</b> June 18, 2021							
Agency Decision Requir	ing Compliance History: Enforceme	ent						
Component Period Selec	<b>:ted:</b> June 18, 2016 to June 18, 2021							
TCEQ Staff Member to C	ontact for Additional Information	Regarding This Compliance	History.					
Name: EPI VILLARREA	L	<b>Phone:</b> (361) 825-34	421					
Site and Owner/Oper	ator History:							
1) Has the site been in exister	nce and/or operation for the full five year c	ompliance period?	YES					
-	change in ownership/operator of the site d		NO					
Componente (Multim	dia) fay the Cite Ave Listed in (	Sections A 1						
<u>Components (Multime</u>	edia) for the Site Are Listed in S	Sections A - J						
A. Final Orders, court j	udgments, and consent decrees:							
<b>B. Criminal convictions</b> N/A	:							
C. Chronic excessive er	nissions events:							
D. The approval dates on N/A	of investigations (CCEDS Inv. Trac	k. No.):						
	olations (NOV) (CCEDS Inv. Track sents a written allegation of a violation of	-	from the commission to a					

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

Date:	10/14/2020	(1704027)		
Self Rep	ort? NO		Classification:	Moderate
Citation:		Chapter 290, SubCha C Chapter 341, SubCh		
Descript		-	20 - During the 3rd quarter of 2 ninant level for haloacetic acids	•

2	ate: 01/13/2021 (1704027)	
	elf Report? NO Classification: Moderate	
	tation: 30 TAC Chapter 290, SubChapter F 290.115(e)(2) 30 TAC Chapter 290, SubChapter F 290.115(f)(5)	
	escription: DBP2 HAA5/TTHM OEL Reporting 3Q2020 - This system failed to submit the Operational Evaluation Report (OEL) after exceeding the operational evaluation level for haloacetic acids/trihalomethanes at 208 N McCoun, Throckmorton (DBP2-01) within the required timeline.	
3	ate: 02/09/2021 (1704027)	
	elf Report? NO Classification: Moderate	
	tation: 30 TAC Chapter 290, SubChapter F 290.115(f)(1)	
	5A THSC Chapter 341, SubChapter A 341.0315(c)	
	escription: HAA5/TTHM LRAA MCL 4Q2020 - During the 4th quarter of 2020 the system violated the maximum contaminant level for haloacetic acids with a LRAA of 0.1	.33

mg/L and for trihalomethanes with a LRAA of 0.129 mg/L at 208 N McCoun, Throckmorton (DBP2-01).

# F. Environmental audits:

N/A

- G. Type of environmental management systems (EMSs): N/A
- H. Voluntary on-site compliance assessment dates:  $_{\mbox{N/A}}$
- I. Participation in a voluntary pollution reduction program:  $_{\mbox{N/A}}$
- J. Early compliance: N/A

#### Sites Outside of Texas:

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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#### IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING CITY OF THROCKMORTON RN101410553

BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

#### AGREED ORDER DOCKET NO. 2020-1549-PWS-E

#### I. JURISDICTION AND STIPULATIONS

On \_\_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding the City of Throckmorton (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

- 1. The Respondent owns and operates a public water supply located at 121 North Minter Avenue in Throckmorton, Throckmorton County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 522 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(71).
- 2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE § 7.002 and TEX. HEALTH & SAFETY CODE § 341.049, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 and TEX. HEALTH & SAFETY CODE § 341.031 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ.
- 3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 4. An administrative penalty in the amount of \$8,024 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The amount of \$1,604 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions of this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms and conditions contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

Pursuant to TEX. WATER CODE § 7.067, \$6,420 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental

Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

- 5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
- 7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
- 8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
- 9. The Executive Director recognizes that the Respondent has implemented a corrective measure at the Facility by verifying the accuracy of the Cl17 on-line chlorine analyzer using chlorine solutions of known concentrations once every seven days by February 4, 2021.

#### **II. ALLEGATIONS**

- 1. During a record review conducted on November 23, 2020, an investigator documented that the Respondent:
  - a. Failed to develop a nitrification action plan ("NAP") for a system distributing chloraminated water, in violation of 30 TEX. ADMIN. CODE § 290.46(z). Specifically, the Respondent had partially completed a system-specific NAP;
  - b. Failed to complete a customer service inspection ("CSI") certificate prior to providing continuous water service to new construction, on any existing service when the water purveyor has reason to believe cross-connections or other potential contamination hazards exist, or after any material improvement, correction, or addition to the private water distribution facilities, in violation of 30 TEX. ADMIN. CODE § 290.46(j);
  - c. Failed to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(2), (f)(3)(A)(i)(II), and

(f)(3)(A)(vii). Specifically, a record of the amount of each chemical used each day and a daily record or a monthly summary of part-time operators were not maintained on-site for review;

- d. Failed to conduct chloramine effectiveness sampling to ensure that monochloramine is the prevailing chloramine species and that nitrification is controlled, in violation of 30 TEX. ADMIN. CODE § 290.110(c)(5);
- e. Failed to maintain all pumps, motors, valves, and other mechanical devices in good working condition, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(6). Specifically, the surface wash arms on the system's filters did not spin and did not work;
- f. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, in violation of 30 TEX. ADMIN. CODE § 290.46(m). Specifically, the chlorine dioxide building was unlocked, the fence surrounding the chlorine dioxide building was missing a portion, the grounds were noted to be unkept with overgrown grass, and there was an unlocked gas chlorine room next to the chlorine dioxide room containing three unused chlorine gas cylinders and a 55-gallon barrel. At the surface water treatment plant ("SWTP"), the high service pump room was not provided with adequate lighting, and the floor of the rooms inside the SWTP were full of water and sludge. In addition, trash, pipes, and other unused materials were noted throughout the Facility. The backwash water and sludge ponds were noted to have been overtaken by plants that dried out, and there were piles of trash and equipment along the fence line. The chemical injection vault outside SWTP's building was full of water;
- g. Failed to maintain the Facility's storage tank in strict accordance with current American Water Works Association ("AWWA") standards with an overflow pipe that terminates downward with a gravity-hinged and weighted cover tightly fitted with no gap over 1/16 inch, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(3). Specifically, the 0.08 million-gallon clearwell was missing an overflow;
- h. Failed to properly calibrate the pH meters daily and check with at least one buffer each time a series of samples is run, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(2)(A)(i) and (s)(2)(A)(ii). Specifically, the benchtop pH meter was calibrated weekly and not daily. In addition, the pH meter was not calibrated on the following dates: February 9 and 23, 2020, April 16, 29, and 30, 2020, and May 20, 2020, and no records were submitted to show the calibration of the pH meter being checked with at least one buffer each time a series of samples is run;
- i. Failed to restandardize the benchtop turbidimeter's secondary standards each time a series of samples is tested, and if necessary, recalibrate with primary standards, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(2)(B)(i) and (s)(2)(B)(ii). Specifically, the Respondent did not restandardize the secondary standards each time the benchtop turbidimeter primary calibration was completed and was not checking the calibration of the benchtop turbidimeter with the secondary standards each time a series of samples is tested;

- j. Failed to verify the accuracy of the continuous disinfectant residual analyzer at least once every seven days using chlorine solutions of known concentrations or by comparing the results from the on-line analyzer with the result of approved benchtop method, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(2)(C)(ii). Specifically, the on-line chlorine analyzer Cl17 was not being verified at least once every seven days; and
- k. Failed to check the calibration of the three on-line turbidimeters at the Facility at least once each week with a primary standard, a secondary standard, or the manufacturer's proprietary calibration confirmation device or by comparing the results from the on-line unit with the results from a properly calibrated benchtop unit, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(2)(B)(iv).
- 2. During a record review conducted on February 22, 2021 through March 5, 2021, an investigator documented that the Respondent:
  - a. Failed to comply with the maximum contaminant level ("MCL") of 0.080 milligrams per liter ("mg/L") for total trihalomethanes ("TTHM") based on the locational running annual average, in violation of 30 TEX. ADMIN. CODE § 290.115(f)(1) and TEX. HEALTH & SAFETY CODE § 341.0315(c). Specifically, the locational running annual average concentrations of TTHM for Stage 2 Disinfection Byproducts ("DBP2") at Site 1 were 0.096 mg/L for the third quarter of 2020 and 0.129 mg/L for the fourth quarter of 2020;
  - b. Failed to comply with the MCL of 0.060 mg/L for haloacetic acids ("HAA5") based on the locational running annual average, in violation of 30 TEX. ADMIN. CODE § 290.115(f)(1) and TEX. HEALTH & SAFETY CODE § 341.0315(c). Specifically, the locational running annual average concentrations of HAA5 for DBP2 at Site 1 were 0.066 mg/L for the third quarter of 2020 and 0.133 mg/L for the fourth quarter of 2020; and
  - c. Failed to conduct an operation evaluation and submit a written operation evaluation report to the Executive Director within 90 days after being notified of analytical results that caused an exceedance of the operational evaluation level for TTHM and HAA5 for DBP2 at Site 1 during the third quarter of 2020, in violation of 30 TEX. ADMIN. CODE § 290.115(e)(2).

## III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

#### **IV. ORDERING PROVISIONS**

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for

violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Throckmorton, Docket No. 2020-1549-PWS-E" to:

> Financial Administration Division, Revenue Operations Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The Respondent shall implement and complete an SEP as set forth in Section I, Paragraph No. 4. The amount of \$6,420 of the assessed penalty is conditionally offset based on the Respondent's implementation and completion of the SEP pursuant to the terms of the SEP Agreement, as defined in Attachment A. Penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.
- 3. The Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Order:
    - i. Create a system-specific NAP, in accordance with 30 TEX. ADMIN. CODE § 290.46;
    - ii. Compile and maintain properly completed water works operation and maintenance records, including but not limited to, a record of the amount of each chemical used each day and a daily record or a monthly summary of part-time operators, in accordance with 30 TEX. ADMIN. CODE § 290.46;
    - iii. Initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, including but not limited to locking the chlorine dioxide building, repairing the missing portion of the fence surrounding the chlorine dioxide building, landscaping the overgrown grass, and locking the gas chlorine room next to the chlorine dioxide room containing three unused chlorine gas cylinders and a 55-gallon barrel. At the SWTP, installing adequate lighting in the high service pump room, and dewatering and removing the sludge from the floor of the rooms inside the SWTP. In addition, removing trash, pipes, and other unused materials throughout the Facility, landscaping the backwash water and sludge ponds, removing the piles of trash and equipment along the fence line, and dewatering the chemical injection vault outside SWTP's building, in accordance with 30 TEX. ADMIN. CODE § 290.46;
    - iv. Implement a CSI program to ensure that all service connections are properly inspected, in accordance with 30 TEX. ADMIN. CODE § 290.46;
    - v. Calibrate the pH meters daily, and check with at least one buffer each time a series of samples is run, in accordance with 30 TEX. ADMIN. CODE § 290.46;

- vi. Restandardize the secondary standards and check them each time a series of samples is tested for the calibration of the benchtop turbidimeters, in accordance with 30 TEX. ADMIN. CODE § 290.46;
- vii. Check the calibration of on-line turbidimeters (Filter 1, Filter 2, and finished water) with a primary standard, a secondary standard, the manufacturer's proprietary calibration confirmation device, or by comparing the results from the on-line unit with the results from a properly calibrated benchtop unit, in accordance with 30 TEX. ADMIN. CODE § 290.46; and
- viii. Conduct an operation evaluation and submit an operation evaluation report to the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.115. The operation evaluation report shall be submitted to:

Drinking Water Standards Section Water Supply Division, MC 155 (Attn: DBP) Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

- ix. Begin collecting all required chloramine effectiveness samples to ensure that monochloramine is the prevailing chloramine species and that nitrification is controlled, in accordance with 30 TEX. ADMIN. CODE § 290.110. This provision will be satisfied upon six consecutive months of compliant monitoring.
- b. Within 45 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.g below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.a.i through 3.a.viii.
- c. Within 60 days after the effective date of this Order:
  - i. Begin maintaining all pumps, motors, valves, and other mechanical devices in good working condition including, but not limited to repairing or replacing the surface wash arms on the system's filters, in accordance with 30 TEX. ADMIN. CODE § 290.46; and
  - ii. Provide the 0.08 million-gallon clearwell with an overflow pipe that terminates downward with a gravity-hinged and weighted cover tightly fitted with no gap over 1/16 inch, in accordance with 30 TEX. ADMIN. CODE § 290.43.
- d. Within 75 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.g below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.c.i and 3.c.ii.

- e. Within 225 days after the effective date of this Order, submit written certification as described in Ordering Provision No. 3.g below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.a.ix.
- f. Within 365 days after the effective date of this Order:
  - i. Return to compliance with the MCL for TTHM based on the locational running annual average, in accordance with 30 TEX. ADMIN. CODE § 290.115; and
  - ii. Return to compliance with the MCL for HAA5 based on the locational running annual average, in accordance with 30 TEX. ADMIN. CODE § 290.115.
- g. Within 380 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.f.i and 3.f.ii. The certification shall be signed by the Respondent and shall include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Water Section Manager Abilene Regional Office Texas Commission on Environmental Quality 1977 Industrial Boulevard Abilene, Texas 79602-7833

- 4. All relief not expressly granted in this Order is denied.
- 5. If the Respondent fails to comply with Ordering Provision No. 2 in this Order within the prescribed schedule, and that failure is caused solely by an act of God, war, strike, riot, or

other catastrophe, the Respondent's failure to comply is not a violation of this Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

- 6. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
- 7. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Order Compliance Team at the address listed above.
- 8. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- This Order may be executed in separate and multiple counterparts, which together shall 9. constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
- 10. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

# SIGNATURE PAGE

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

For the Executive Director

8/31/2022 Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Signature

\_\_\_\_\_08/08/2022 Date

William Carroll Name (Printed or typed) Authorized Representative of City of Throckmorton

Mayor

Title

□ *If mailing address has changed, please check this box and provide the new address below:* 

#### Attachment A

#### Docket Number: 2020-1549-PWS-E

#### SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	City of Throckmorton
Penalty Amount:	Six Thousand Four Hundred Twenty Dollars (\$6,420)
SEP Offset Amount:	Six Thousand Four Hundred Twenty Dollars (\$6,420)
Type of SEP:	Compliance
Project Name:	Public Water Supply Improvements
Location of SEP:	Throckmorton County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset the administrative Penalty Amount assessed in this Agreed Order for Respondent to perform a Supplemental Environmental Project ("SEP"). The SEP Offset Amount is set forth above and such offset is conditioned upon completion of the project in accordance with the terms of this Attachment A.

Respondent is a Local Government that qualifies under Texas Water Code § 7.067 to apply the SEP Offset Amount set forth above to correct violations at its public water supply (the "Facility") which are described in this Agreed Order.

#### 1. Project Description

#### A. Project

Respondent shall rent six 40-yard roll-off containers which will be used to remove debris and rubbish in and around the City's surface water treatment plant located at 213 West Elm in Throckmorton. The City will haul the roll-off containers to a permitted landfill for proper disposal of contents. Specifically, the SEP Offset Amount shall be used for six 40-yard roll-off containers (the "Project"). Any advertisement, including publication, related to the SEP must include the enforcement statement as stated in Section 6, Publicity. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations, including permits that may be required prior to commencement of the SEP.

Respondent shall use the SEP Offset Amount only for the direct cost of implementing the Project, including supplies, materials, and equipment rentals, as listed in Subsection C. Minimum Expenditure, Estimated Cost Schedule, below. No portion of the SEP Offset Amount shall be spent on administrative costs, including but not limited to operating costs, reporting expenses, handling of expenses, project coordination, liability, or equipment breakdowns.

Respondent's signature affixed to the attached Agreed Order certifies that Respondent has no prior commitment to perform this Project and that the SEP is being performed solely as part of the terms of settlement in this enforcement action.

B. Environmental Benefit

This SEP will help improve the good working condition and general appearance of the Facility in order to provide access to safe drinking water. Safe, reliable drinking water is necessary for human health and household sanitation.

City of Throckmorton Docket No. 2020-1549-PWS-E Attachment A

#### C. Minimum Expenditure

Respondent shall spend at least the SEP Offset Amount to complete the project described in Section 1, above, and comply with all other provisions of this SEP. Respondent understands that it may cost more than the SEP Offset Amount to complete the Project.

#### Estimated Cost Schedule

Item	Quantity	Cost	Units	Total
Roll-off Containers	6	\$1,100	Each	\$6,600
Total				\$6,600

#### 2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, Respondent shall begin implementation of the SEP. Respondent shall have completed the SEP in its entirety within 45 days after the effective date of this Agreed Order.

#### 3. Records and Reporting

A. Progress Report

Within 30 days after the effective date of this Agreed Order, Respondent shall submit a Notice of Commencement to the TCEQ describing actions performed to date to implement the Project. Within 45 days after the effective date of this Agreed Order, Respondent shall submit a report detailing all actions for achieving completion of the Project within the 45-day timeframe set forth in Section 2, Performance Schedule, above. Respondent shall submit reports to the TCEQ containing detailed information on all actions completed on the Project to date as set forth in the Reporting Schedule table below:

Days from Effective Order Date	Information Required
30	Notice of Commencement describing actions taken to begin project
45	Notice of SEP completion

#### B. Final Report

Within 45 days after the effective date of the Agreed Order, or within 30 days after completion of the SEP, whichever is earlier, Respondent shall submit a Final Report to the TCEQ, which shall include the following:

- 1. Itemized list of expenditures and total cost of the Project;
- 2. Copies of invoices or receipts corresponding to the itemized list in paragraph 3.B.1., above;
- 3. Copies of cleared checks or payment records corresponding to the itemized list in paragraph 3.B.1., above;

City of Throckmorton Docket No. 2020-1549-PWS-E Attachment A

- 4. Copies of proof of advertisement of invitation for bids, if applicable;
- 5. A certified statement of SEP completion and document authentication;
- 6. Detailed map showing specific location of the project site(s);
- 7. Dated photographs of the purchased materials and supplies; before and after work being performed during the Project; and of the completed Project; and
- 8. Any additional information Respondent believes will, or that is requested by TCEQ to demonstrate compliance with this Attachment A.
- C. Address

Respondent shall submit all SEP reports and any additional information as requested to the following address:

Texas Commission on Environmental Quality Litigation Division Attention: SEP Coordinator, MC 175 P.O. Box 13087 Austin, Texas 78711-3087

#### 4. Additional Information and Access

Respondent shall provide additional information as requested by TCEQ staff and shall allow access to all records related to the SEP Offset Amount. Respondent shall also allow representatives of the TCEQ access to the site of any work being financed in whole or in part by the SEP Offset Amount. This provision shall survive the termination of this Agreed Order.

#### 5. Failure to Fully Perform

If Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 through 4 above, the Executive Director ("ED") may require immediate payment of all or part of the SEP Offset Amount as set forth in the attached Agreed Order.

In the event the ED determines that Respondent failed to fully implement and complete the Project, Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality," and shall mail it to:

Texas Commission on Environmental Quality Litigation Division Attention: SEP Coordinator, MC 175 P.O. Box 13087 Austin, Texas 78711-3087

#### 6. Publicity

Any public statements concerning this Project made by or on behalf of Respondent must include a clear statement that **the Project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

City of Throckmorton Docket No. 2020-1549-PWS-E Attachment A

#### 7. Recognition

Respondent may not seek recognition for this project in any other state or federal regulatory program.

#### 8. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.